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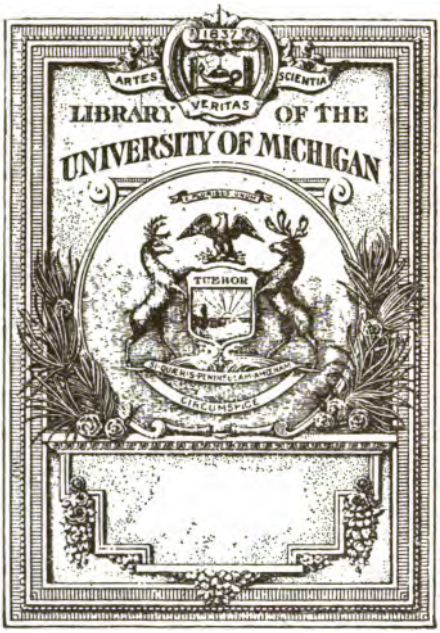
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THE

MISCELLANEOUS PROSE WORKS

OF

SIR WALTER SCOTT, Bart.

VOL. XI.

LIFE OF NAPOLEON BUONAPARTE

VOL. IV.

PROSE WORKS.

OF

SIR WALTER SCOTT, BART.

VOL. II.

J. M. W. Turner, R.A. W. Miller

Vincennes.

EDINBURGH: PUBLISHED 1835, BY ROBERT CADELL; & WHITTAKER & CO. LONDON.

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OF

NAPOLEON BUONAPARTE,

WITH A

PRELIMINARY VIEW OF THE FRENCH REVOLUTION.

BY

SIR WALTER SCOTT, BART., 1771-1832

VOL. IV.

ROBERT CADELL, EDINBURGH;

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LIFE

OF

NAPOLEON BUONAPARTE.

CHAPTER XVI.

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BUONAPARTE had caused himself to be preceded by an account of his campaigns in Africa and Asia, in which the splendid victory over the Turks at Aboukir enabled him to gloss over his bad success in Syria, the total loss of his fleet, and the danger of Malta, which was closely besieged by the English. Still, however, these despatches could never have led any one to expect the sudden return of a

general engaged on a foreign service of the utmost importance, who, without having a better reason to allege, than his own opinion that his talents were more essential to his country in France than in Egypt, left his army to its fate, and came, without either order or permission from his government, to volunteer his services where they were not expected, or perhaps wished for. Another in the same circumstances, or perhaps the same general at another period of the Revolution, would have been received by the public with alienated favour, and by the government with severe enquiry, if not with denunciation.

On the contrary, such was the general reliance on the talents of Buonaparte, that, delighted to see him arrive, no one thought of asking wherefore, or by whose authority he had returned. He was received like a victorious monarch re-entering his dominions at his own time and pleasure. Bells were every where rung, illuminations made, a delirium of joy agitated the public mind, and the messenger who carried the news of his disembarkation to Paris, was received as if he had brought news of a battle gained.[1]

The hall of the Council of Five Hundred re-echoed with cries of victory, while the orator, announcing the victories of Brune over the English, and Massena over the Russians, dwelt upon the simple fact of Buonaparte's return, as of interest equal to all these successes. He was heard with shouts of "Long live the Republic!" which, as the event

[1] [Thiers, t. x. p. 346; Gourgaud, t. i. p. 56; Lacretelle, t. xiv. p. 385.]

proved, was an exclamation but very indifferently adapted to the occasion.

Josephine, and Joseph Buonaparte, apprised by the government of the arrival of Napoleon, hastened to meet him on the road; and his progress towards Paris was every where attended by the same general acclamations which had received him at landing.[1]

The members of Government, it must be supposed, felt alarm and anxiety, which they endeavoured to conceal under the appearance of sharing in the general joy.[2] The arrival of a person so influential by his fame, so decided in his character, engaged with no faction, and pledged to no political system, was likely to give victory to one or the other party who were contending for superiority, as he should himself determine. The eyes of all men were upon Napoleon, while his reserved and retired mode of life prevented any accurate anticipation being formed of the part which he was likely to take in the approaching convulsions of the state.[3] While both

[1] ["It was not like the return of a citizen to his country, or a general at the head of a victorious army, but like the triumph of a sovereign restored to his people."—GOURGAUD, t. i. p. 57.]

[2] ["The news of his return caused a general delirium. Baudin, the deputy from Ardennes, who was really a worthy man, struck with the idea that Providence had at length sent the man for whom he and his party had so long searched in vain, died the very same night from excess of joy."—GOURGAUD, t. i. p. 59; FOUCHÉ, t. i. p. 107.]

[3] ["Having thus arrived in Paris quite unexpectedly, he was in his own house, in the Rue Chantereine, before any one knew of his being in the capital. Two hours afterwards, he presented himself to the Directory, and, being recognised by the soldiers on guard, was announced by shouts of gladness. All the members of the Directory appeared to share in the public joy."—GOURGAUD, t. i. p. 60.]

parties might hope for his participation and succour, neither ventured to call into question his purpose, or the authority by which he had left his army in Egypt, and appeared thus unexpectedly in the capital. On the contrary, they courted him on either hand as the arbiter, whose decision was likely to have most influence on the state of the nation.[1]

Napoleon, mean while, seemed to give his exclusive attention to literature, and, having exchanged the usual visits of form with the ministers of the Republic, he was more frequently to be found at the Institute, or discussing with the traveller Volney, and other men of letters, the information which he had acquired in Egypt on science and antiquities, than in the haunts of politicians, or the society of the leaders of either party in the state. Neither was he to be seen at the places of popular resort: he went into no general company, seldom attended the theatres, and, when he did, took his seat in a private box.[2]

A public entertainment was given in honour of the general in the church of St Sulpice, which was attended by both the Legislative Bodies. Moreau shared the same honour, perhaps on that account not the more agreeable to Buonaparte. Jourdan and Augereau did not appear—a cloud seemed to hang over the festival—Napoleon only presented himself for a very short time, and the whole was over in the course of an hour.[3]

[1] [See Mémoires de Gohier, t. i. p. 198–212.]

[2] [Gourgaud, t. i. p. 65.]

[3] ["Covers were laid for seven hundred. Napoleon remained at table but a short time: he appeared to be uneasy, and much preoccupied."—Gourgaud, t. i. p. 63.]

To the military, his conduct seemed equally reserved—he held no levees, and attended no reviews. While all ranks contended in offering their tribute of applause, he turned in silence from receiving them.[1]

In all this there was deep policy. No one knew better how much popular applause depends on the gloss of novelty, and how great is the difference in public estimation, betwixt him who appears to hunt and court acclamations, and the wiser and more dignified favourite of the multitude, whose popularity follows after him and seeks him out, instead of being the object of his pursuit and ambition. Yet under this still and apparently indifferent demeanour, Napoleon was in secret employed in collecting all the information necessary concerning the purposes and the powers of the various parties in the state; and as each was eager to obtain his countenance, he had no difficulty in obtaining full explanations on these points.

The violent Republicans, who possessed the majority in the Council of Five Hundred, made advances to him; and the generals Jourdan, Augereau, and Bernadotte, offered to place him at the head of that party, provided he would maintain

[1] ["Every one of the ministers wished to give him an entertainment, but he only accepted a dinner from the Minister of Justice (Cambacerès). He requested that the principal lawyers of the Republic might be there. He was very cheerful at this dinner, conversed at large on the criminal code, to the great astonishment of Tronchet, Treilhard, Merlin, and Target, and expressed his desire to see persons and property placed under the guard of a simple code, suitable to an enlightened age."—GOURGAUD, t. i. p. 64.]

the democratical constitution of the year Three.[1] In uniting with this active and violent party, Buonaparte saw every chance of instant and immediate success; but, by succeeding in the outset, he would probably have marred the farther projects of ambition which he already nourished. Military leaders, such as Jourdan and Bernadotte, at the head of a party so furious as the Republicans, could not have been thrown aside without both danger and difficulty: and it being unquestionably the ultimate intention of Buonaparte to usurp the supreme power, it was most natural for him to seek adherents among those, who, though differing concerning the kind of government which should be finally established, concurred in desiring a change from the republican model.

Barras, too, endeavoured to sound the purposes of the general of the army of Egypt. He hinted to him a plan of placing at the head of the Directory Hedouville,[2] a man of ordinary talent, then general of what was still termed the Army of England, of retiring himself from power, and of conferring on Napoleon the general command of the Republican forces on the frontiers, which he vainly supposed preferment sufficient to gratify his ambition.[3] Buo-

[1] [Gourgaud, t. i. p. 67.]

[2] [Hedouville was born at Laon in 1755. In 1801, Buonaparte appointed him ambassador to Petersburgh. On the restoration of the Bourbons he was made a peer of France, and died in 1825.]

[3] ["On the 8th Brumaire (30th October), Napoleon dined with Barras: a conversation took place after dinner. 'The Republic is falling,' said the director; 'things cannot go on; a change must take place, and Hedouville must be named president. As to you, general, you intend to rejoin the army; and

naparte would not listen to a hint which went to remove him from the capital, and the supreme administration of affairs—he knew also that Barras's character was contemptible, and his resources diminished—that his subsequent conduct had cancelled the merit which he had acquired by the overthrow of Robespierre, and that to unite with him in any degree would be to adopt, in the public opinion, the very worst and most unpopular portion of the Directorial Government. He rejected the alliance of Barras, therefore, even when, abandoning his own plan, the director offered to concur in any which Napoleon might dictate.

A union with Siêyes, and the party whom he influenced, promised greater advantages. Under this speculative politician were united for the time all who, though differing in other points, joined in desiring a final change from a revolutionary to a moderate and efficient government, bearing something of a monarchical character. Their number rendered this party powerful. In the Directory it was espoused by Siêyes and Ducos; it possessed a large majority in the Council of Ancients, and a respectable minority in that of the Five Hundred. The greater part of the middling classes throughout France, embraced with more or less zeal the principles of moderation; and agreed, that an executive government of some strength was necessary to save them from the evils of combined revolutionary

for my part, ill as I am, unpopular, and worn out, I am only fit to return to private life.' Napoleon looked steadfastly at him without replying a word. Barras cast down his eyes, and remained silent. Thus the conversation ended."—GOURGAUD, t. i. p. 72. Thiers, t. x. p. 359.]

movements. Though the power of the Moderates was great, yet their subsequent objects, in case of success, were various. Thus Buonaparte saw himself encouraged to hope for victory over the existing government and the Republicans by the united strength of the Moderates of every class, whilst their difference in opinion concerning the ultimate measures to be adopted, afforded him the best opportunity of advancing, during the competition, his own pretensions to the larger share of the spoil.[1]

Napoleon communicated accordingly with Siêyes, upon the understanding that he was to be raised to the principal administration of affairs; that the constitution of the year Three, which he himself had once pronounced "the masterpiece of legislation, which had abolished the errors of eighteen centuries," was entirely to be done away; and that a constitution was to be adopted in its stead, of which he knew nothing more, than that it was ready drawn up, and lay in the portfolio of Siêyes. No doubt, the general mentally reserved the right of altering and adjusting it as it should best suit his own views,—a right which he failed not to exercise to a serious extent. When these great preliminaries had been adjusted, it was agreed that it should be executed between the 15th and 20th Brumaire.

In the interim, several men of influence of both councils were admitted into the secret. Talleyrand, who had been deprived of office by the influence of the Republicans, brought his talents to the

[1] [Thiers, t. x. p. 363.]

aid of Buonaparte.[1] Fouché, according to Napoleon, was not consulted—the Memoirs which bear his name aver the contrary—it is certain, that in his important capacity of minister of police, he acted in Buonaparte's favour during the revolution.[2] Some leading members of both legislative bodies were cautiously intrusted with what was going forward, and others were generally advised to hold themselves in readiness for a great movement.

A sufficient military force was next to be provided; and this was not difficult, for the reputation of Buonaparte ensured the conspirators unlimited influence among the soldiery. Three regiments of dragoons were enthusiastically petitioning the honour of being reviewed by Napoleon. The adherence of these troops might be counted upon. The officers of the garrison of Paris were desirous to pay their respects to him; so were the forty adjutants of the national guard, whom he himself had appointed when general of the troops in the inte-

[1] ["Talleyrand availed himself of all the resources of a supple and insinuating address, in order to conciliate a person whose suffrage it was important to him to secure."—GOURGAUD, t. i. p. 66. "It was he who disclosed to Buonaparte's views all the weak points of the government, and made him acquainted with the state of parties, and the bearings of each character."—FOUCHÉ, t. i. p. 96.]

[2] ["Napoleon effected the 18th of Brumaire without admitting Fouché into the secret."—GOURGAUD, t. i. p. 66. "Buonaparte was too cunning to let me into the secret of his means of execution, and to place himself at the mercy of a single man; but he said enough to me to win my confidence, and to persuade me that the destinies of France were in his hands."—FOUCHÉ, t. i. p. 98.]

rior. Many other officers, as well reduced as holding commissions, desired to see the celebrated general, that they might express their devotion to his person, and adherence to his fortunes. All these introductions had been artfully postponed.[1]

Two men of more renowned name, Moreau and Macdonald,[2] had made tenders of service to Buonaparte. These both favoured the moderate party, and had no suspicion of the ultimate design of Napoleon or the final result of his undertaking.

A final resolution on 15th Brumaire determined the 18th (9th November) for the great attempt—an interval was necessary, but the risk of discovery and anticipation made it desirable that it should be as short as possible. The secret was well kept; yet being unavoidably intrusted to many persons, some floating and vague rumours did get abroad, and gave an alarm to the parties concerned.

Mean while, all the generals and officers whom we have named, were invited to repair to Napoleon's house at six o'clock on the morning of the 18th Brumaire, and the three regiments of cavalry already mentioned were appointed to be ready and mounted in the Champs Elysées, to receive the honour of being reviewed by Buonaparte, according to their petition. As an excuse for assigning

[1] [Gourgaud, t. i. p. 74.]

[2] ["Moreau, who had been at the dinner of the Legislative Body, and with whom Napoleon had there, for the first time, become acquainted, having learned from public report that a change was in preparation, assured Napoleon that he placed himself at his disposal, that he had no wish to be admitted into any secret, and that he required but one hour's notice to prepare himself. Macdonald, who happened then to be at Paris, had made the same tenders of service."—Gourgaud, t. i. p. 77.]

so unusual an hour of rendezvous, it is said that the general was obliged to set out upon a journey. Many officers, however, understood or guessed what was to be done, and came armed with pistols as well as with swords. Some were without such information or presentiment. Lefebvre, the commandant of the guard of the Representative Bodies, supposed to be devoted to the Directory, had only received an invitation to attend this military assembly on the preceding midnight. Bernadotte, unacquainted with the project, and attached to the Republican faction, was, however, brought to Buonaparte's house by his brother Joseph.[1]

The surprise of some, and the anxious curiosity of all, may be supposed, when they found a military levee so numerous and so brilliant assembled at a house incapable of containing half of them Buonaparte was obliged to receive them in the open air. Leaving them thus assembled, and waiting their cue to enter on the stage, let us trace the political manœuvres from which the military were to take the signal for action.

Early as Buonaparte's levee had taken place, the Council of Ancients, secretly and hastily assembled, had met still earlier. The ears of all were filled by a report, generally circulated, that the Republican party had formed a daring plan for giving a new popular impulse to the government. It was said, that the resolution was taken at the Hôtel de

[1] [Gourgaud, t. i. p. 78. For some curious historical notes on the 18th Brumaire, furnished to Sir Walter Scott by a distinguished authority, and of which great, although unacknowledged, use has since been made by M. Bourrienne, see the *Appendix* to this volume No. I.

Salm, amongst the party who still adopted the principles of the old Jacobins, to connect the two representative bodies into one National Assembly, and invest the powers of government in a Committee of Public Safety, after the model of what was called the Reign of Terror. Circulated hastily, and with such addition to the tale as rumours speedily acquire, the mind of the Council of Ancients was agitated with much fear and anxiety. Cornudet, Lebrun,[1] and Fargues, made glowing speeches to the Assembly, in which the terror that their language inspired was rendered greater by the mysterious and indefinite manner in which they expressed themselves. They spoke of personal danger—of being overawed in their deliberations—of the fall of liberty, and of the approaching destruction of the Republic. "You have but an instant to save France," said Cornudet; "permit it to pass away, and the country will be a mere carcass, disputed by the vultures, whose prey it must become." Though the charge of conspiracy was not distinctly defined, the measures recommended to defeat it were sufficiently decisive.

By the 102d, 103d, and 104th articles of the Constitution, it was provided, that the Council of Ancients might, if they saw it expedient, alter the place where the legislative bodies met, and convoke them elsewhere; a provision designed doubtless to prevent the exercise of that compulsion, which the Parisians had at one time assumed over the National Assembly and Convention. This

[1] [Afterwards Third Consul, Arch-Treasurer, and Duke of Placentia.]

power the Council of Ancients now exercised. By one edict the sittings of the two councils were removed to St Cloud; by another, the Council delegated to General Buonaparte full power to see this measure carried into effect, and vested him for that purpose with the military command of the department. A state messenger, the deputy Cornet,[1] was sent to communicate to the general these important measures, and require his presence in the Council of Ancients; and this was the crisis which he had so anxiously expected.[2]

A few words determined the numerous body of officers, by whom the messenger found him surrounded, to concur with him without scruple. Even General Lefebvre, who commanded the guard of the legislative bodies, declared his adhesion to Buonaparte.[3]

The Directory had not even yet taken the alarm. Two of them, indeed, Siêyes and Ducos, being in the secret of the conspiracy, were already at the Tuileries, to second the movement which was preparing. It is said that Barras had seen them pass in the morning, and as they were both mounted, had

[1] [Buonaparte afterwards made Cornet a member of the Conservative Senate and grand officer of the Legion of Honour. On the restoration of the Bourbons, he became a peer of France. —See his "Notice Historique," published in 1819.]

[2] [Gourgaud, t. i. p. 78.]

[3] ["The messenger found the avenues filled with officers: Napoleon had the folding doors opened; and his house being too small to contain so many persons, he came forward on the steps in front of it, received the compliments of the officers, harangued them, and told them that he relied upon them all for the salvation of France. Enthusiasm was at its height: all the officers drew their swords, and promised their services and fidelity."—Gourgaud, t. i. p. 80.]

been much amused with the awkward horsemanship of Siêyes.[1] He little guessed on what expedition he was bound.

When Buonaparte sallied forth on horseback, and at the head of such a gallant cavalcade of officers, his first movement was to assume the command of the three regiments of cavalry, already drawn up in the Champs Elysées, and to lead them to the Tuileries, where the Council of Ancients expected him. He entered their hall surrounded by his military staff, and by those other generals, whose name carried the memory of so many victories. "You are the wisdom of the nation," he said to the Council: "At this crisis it belongs to you to point out the measures which may save the country. I come, surrounded by the generals of the Republic, to promise you their support. I name Lefebvre my lieutenant. Let us not lose time in looking for precedents. Nothing in history ever resembled the end of the eighteenth century—nothing in the eighteenth century resembled this moment. Your wisdom has devised the necessary measure, our arms shall put it into execution."[2] He announced to the military the will of the Council, and the command with which they had intrusted him; and it was received with loud shouts.

In the mean while the three directors, Barras, Gohier, and Moulins, who were not in the secret of the morning, began too late to take the alarm.

[1] [Gourgaud, t. i. p. 85.]

[2] [Lacretelle, t. xiv. p. 413; Thiers, t. x. p. 370; Montgaillard, t. v. p. 264; Gourgaud, t. i. p. 82.]

Moulins proposed to send a battalion to surround the house of Buonaparte, and make prisoner the general, and whomsoever else they found there. But they had no longer the least influence over the soldiery, and had the mortification to see their own personal guard, when summoned by an aide-de-camp of Buonaparte, march away to join the forces which he commanded, and leave them defenceless.[1]

Barras sent his secretary, Bottot, to expostulate with Buonaparte. The general received him with great haughtiness, and publicly, before a large group of officers and soldiers, upbraided him with the reverses of the country; not in the tone of an ordinary citizen, possessing but his own individual interest in the fate of a great nation, but like a prince, who, returning from a distant expedition, finds that in his absence his deputies have abused their trust, and misruled his dominions. "What have you done," he said, "for that fine France, which I left you in such a brilliant condition? I left you peace, I have found war—I left you the wealth of Italy, I have found taxation and misery. Where are the hundred thousand Frenchmen whom I have known?—all of them my companions in glory?—They are dead."[2] It was plain, that even now, when his enterprise was but commenced, Buonaparte had already assumed that tone, which seemed to account every one answerable to him

[1] [Lacretelle, t. xiv. p. 415.]

[2] ["Then all at once concluding his harangue, in a calm tone he added, 'This state of things cannot last; it would lead us in three years to despotism.'"—Mad. de Staël, t. ii. p. 224. Thiers, t. x. p. 376; Montgaillard, t. v. p. 265.]

[illegible]

accordingly; and he was thus placed in full possession as well of the civil as of the military power.[1]

The Council of Five Hundred, or rather the Republican majority of that body, showed a more stubborn temper; and if, instead of resigning, Barras, Gohier, and Moulins, had united themselves to its leaders, they might perhaps have given trouble to Buonaparte, successful as he had hitherto been.

This hostile Council only met at ten o'clock on that memorable day, when they received, to their surprise, the message, intimating that the Council of Ancients had changed the place of meeting from Paris to St Cloud; and thus removed their debates from the neighbourhood of the populace, over whom the old Jacobinical principles might have retained influence. The laws as they stood afforded the young Council no means of evading compliance, and they accordingly adjourned to meet the next day at St Cloud, with unabated resolution to maintain the democratical part of the constitution. They separated amid shouts of "Long live the Republic and the Constitution!" which were echoed by the galleries. The *tricoteuses*,[2] and other more zealous attendants on their debates, resolved to transfer

[1] [Gourgaud, t. i. p. 86.]

[2] The women of lower rank who attended the debates of the Council, plying the task of knitting while they listened to politics, were so denominated. They were always zealous democrats, and might claim in one sense Shakspeare's description of

"The *free* maids who weave their thread with bones."

themselves to St Cloud also, and appeared there in considerable numbers on the ensuing day, when it was evident the enterprise of Siêyes and of Buonaparte must be either perfected or abandoned.

The contending parties held counsel all the evening, and deep into the night, to prepare for the final contest on the morrow. Siêyes advised, that forty leaders of the opposition should be arrested;[1] but Buonaparte esteemed himself strong enough to obtain a decisive victory, without resorting to any such obnoxious violence. They adjusted their plan of operations in both Councils, and agreed that the government to be established should be provisionally intrusted to three Consuls, Buonaparte, Siêyes, and Ducos. Proper arrangements were made of the armed force at St Cloud; and the command was confided to the zeal and fidelity of Murat. Buonaparte used some interest to prevent Bernadotte, Jourdan, and Augereau, from attending at St Cloud the next day, as he did not expect them to take his part in the approaching crisis. The last of these seemed rather hurt at the want of confidence which this caution implied, and said, "What, general! dare you not trust your own little Augereau?"[2] He went to St Cloud accordingly.

[1] ["The recommendation was a wise one; but Napoleon thought himself too strong to need any such precaution, 'I swore in the morning,' said he, 'to protect the national representation; I will not this evening violate my oath.'"—GOURGAUD, t. i. p. 87.]

[2] [Gourgaud, t. i. p. 87.]

Some preparations were necessary to put the palace of St Cloud in order, to receive the two Councils; the Orangerie being assigned to the Council of Five Hundred; the Gallery of Mars to that of the Ancients.

In the Council of Ancients, the Modérés, having the majority, were prepared to carry forward and complete their measures for a change of government and constitution. But the minority, having rallied after the surprise of the preceding day, were neither silent nor passive. The Commission of Inspectors, whose duty it was to convene the Council, were inculpated severely for having omitted to give information to several leading members of the minority, of the extraordinary convocation which took place at such an unwonted hour on the morning preceding. The propriety, nay the legality, of the transference of the legislative bodies to St Cloud, was also challenged. A sharp debate took place, which was terminated by the appearance of Napoleon, who entered the hall, and harangued the members by permission of the president. "Citizen representatives," said he, "you are placed upon a volcano. Let me tell you the truth with the frankness of a soldier. I was remaining tranquil with my family, when the commands of the Council of Ancients called me to arms. I collected my brave military companions, and brought forward the arms of the country in obedience to you who are the head. We are rewarded with calumny—they compare me to Cæsar—to Cromwell. Had I desired to usurp the supreme authority, I have had oppor-

tunities to do so before now. But I swear to you the country has not a more disinterested patriot. We are surrounded by dangers and by civil war. Let us not hazard the loss of those advantages for which we have made such sacrifices—Liberty and Equality."

"And the Constitution!" exclaimed Linglet, a democratic member, interrupting a speech which seemed to be designedly vague and inexplicit.

"The Constitution!" answered Buonaparte, giving way to a more natural expression of his feelings, and avowing his object more clearly than he had yet dared to do—"It was violated on the eighteenth Fructidor—violated on the twenty-second Floreal—violated on the thirtieth Prairial. All parties have invoked it—all have disregarded it in turn. It can be no longer a means of safety to any one, since it obtains the respect of no one. Since we cannot preserve the Constitution, let us at least save Liberty and Equality, the foundations on which it is erected." He went on in the same strain to assure them, that for the safety of the Republic he relied only on the wisdom and power of the Council of Ancients, since in the Council of Five Hundred were found those men who desired to bring back the Convention, with its revolutionary committees, its scaffolds, its popular insurrections. "But I," he said, "will save you from such horrors—I and my brave comrades at arms, whose swords and caps I see at the door of the hall; and if any hired orator shall talk of outlawry, I will appeal to the valour of my comrades,

with whom I have fought and conquered for liberty."[1]

The Assembly invited the general to detail the particulars of the conspiracy to which he had alluded, but he confined himself to a reference to the testimony of Siêyes and Ducos; and again reiterating that the Constitution could not save the country, and inviting the Council of Ancients to adopt some course which might enable them to do so, he left them, amid cries of "Vive Buonaparte!" loudly echoed by the military in the courtyard, to try the effect of his eloquence on the more unmanageable Council of Five Hundred.

The deputies of the younger Council having found the place designed for their meeting filled with workmen,[2] were for some time in a situation which seemed to resemble the predicament of the National Assembly at Versailles, when they took refuge in a tennis-court. The recollection was of such a nature as inflamed and animated their resolution, and they entered the Orangerie, when at length admitted, in no good humour with the Council of Ancients, or with Buonaparte. Proposals of accommodation had been circulated among them

[1] [Thibaudeau, t. i. p. 38; Montgaillard, t. v. p. 267; Thiers, t. x. p. 380; Lacretelle, t. xiv. p. 424; Gourgaud, t. i. p. 92.]

[2] ["So late as two o'clock in the afternoon, the place assigned to the Council of Five Hundred was not ready. This delay of a few hours was very unfortunate. The deputies formed themselves into groups in the garden: their minds grew heated; they sounded one another, interchanged declarations of the state of their feelings, and organized their opposition."—Gourgaud, t. i. p. 89.]

ineffectually. They would have admitted Buonaparte into the Directory, but refused to consent to any radical change in the constitution of the year Three.

The debate of the day, remarkable as the last in which the Republican party enjoyed the full freedom of speech in France, was opened on nineteenth Brumaire, at two o'clock, Lucien Buonaparte being president. Gaudin, a member of the moderate party, began by moving, that a committee of seven members should be formed, to report upon the state of the Republic; and that measures should be taken for opening a correspondence with the Council of Ancients. He was interrupted by exclamations and clamour on the part of the majority.

"The Constitution! The Constitution or Death!" was echoed and reechoed on every side. "Bayonets frighten us not," said Delbrel; "we are free men."—"Down with the Dictatorship—no Dictators!" cried other members.

Lucien in vain endeavoured to restore order. Gaudin was dragged from the tribune; the voice of other Moderates was overpowered by clamour—never had the party of democracy shown itself fiercer or more tenacious than when about to receive the death-blow.

"Let us swear to preserve the Constitution of the year Three!" exclaimed Delbrel; and the applause which followed the proposition was so general, that it silenced all resistance. Even the members of the moderate party—nay, Lucien Buonaparte himself—were compelled to take the

oath of fidelity to the Constitution, which he and they were leagued to destroy.

"The oath you have just taken," said Bigonnet, "will occupy a place in the annals of history, beside the celebrated vow taken in the tennis-court. The one was the foundation of liberty, the other shall consolidate the structure." In the midst of this fermentation, the letter containing the resignation of Barras was read, and received with marks of contempt, as the act of a soldier deserting his post in the time of danger. The moderate party seemed silenced, overpowered, and on the point of coalescing with the great majority of the Council, when the clash of arms was heard at the entrance of the apartment. All eyes were turned to that quarter. Bayonets, drawn sabres, the plumed hats of general officers and aides-de-camp, and the caps of grenadiers, were visible without, while Napoleon entered the Orangerie, attended by four grenadiers belonging to the constitutional guard of the Councils. The soldiers remained at the bottom of the hall, while he advanced with a measured step and uncovered, about one-third up the room.

He was received with loud murmurs. "What! drawn weapons, armed men, soldiers in the sanctuary of the laws!" exclaimed the members, whose courage seemed to rise against the display of force with which they were menaced. All the deputies arose, some rushed on Buonaparte, and seized him by the collar; others called out—"Outlawry—outlawry—let him be proclaimed a traitor!" It is said that Arena, a native of Corsica like himself, aimed a dagger at his breast, which was only

averted by the interposition of one of the grenadiers.[1] The fact seems extremely doubtful, though it is certain that Buonaparte was seized by two or three members, while others exclaimed, "Was it for this you gained so many victories?" and loaded him with reproaches. At this crisis a party of grenadiers rushed into the hall with drawn swords, and extricating Buonaparte from the deputies, bore him off in their arms breathless with the scuffle.[2]

It was probably at this crisis that Augereau's faith in his ancient general's fortune began to totter, and his revolutionary principles to gain an ascendence over his military devotion. "A fine situation you have brought yourself into," he said to Buonaparte, who answered sternly, "Augereau, things were worse at Arcola—Take my advice—remain quiet, in a short time all this will change."[3] Augereau, whose active assistance and cooperation might have been at this critical period of the greatest consequence to the Council, took the hint, and continued passive.[4] Jourdan and Bernadotte, who

[1] ["The Corsican Arena approached the general, and shook him violently by the collar of his coat. It has been supposed, but without reason, that he had a poniard to kill him."—MAD. DE STAËL, t. ii. p. 239.]

[2] ["In the confusion, one of them, named Thomé, was slightly wounded by the thrust of a dagger, and the clothes of another were cut through."—GOURGAUD, t. i. p. 95.]

[3] [Lacretelle, t. xiv. p. 428; Gourgaud, t. i. p. 91.]

[4] The *Moniteur* is anxious to exculpate Augereau from having taken any part in favour of the routed party on the nineteenth Brumaire. That officer, it says, did not join in the general oath of fidelity to the Constitution of the year Three. The same official paper adds, that on the evening of the nineteenth, being invited by some of the leading persons of the democratic faction, to take

were ready to act on the popular side, had the soldiers shown the least hesitation in yielding obedience to Buonaparte, perceived no opening of which to avail themselves.

The Council remained in the highest state of commotion, the general voice accusing Buonaparte of having usurped the supreme authority, calling for a sentence of outlawry, or demanding that he should be brought to the bar. "Can you ask me to put the outlawry of my own brother to the vote?" said Lucien. But this appeal to his personal situation and feelings made no impression upon the Assembly, who continued clamorously to demand the question. At length Lucien flung on the desk his hat, scarf, and other parts of his official dress. "Let me be rather heard," he said, "as the advocate of him whom you falsely and rashly accuse." But his request only added to the tumult. At this moment a small body of grenadiers, sent by Napoleon to his brother's assistance, marched into the hall.

They were at first received with applause; for the Council, accustomed to see the triumph of democratical opinions among the military, did not doubt that they were deserting their general to

the military command of their partisans, he had asked them by way of reply, "Whether they supposed he would tarnish the reputation he had acquired in the army, by taking command of wretches like them?" Augereau, it may be remembered, was the general who was sent by Buonaparte to Paris to act as military chief on the part of the Directory, in the revolution of the 18th Fructidor, in which the soldiery had willingly followed him. Buonaparte was probably well pleased to keep a man of his military reputation and resolved character out of the combat if possible.

range themselves on the side of the deputies. Their appearance was but momentary—they instantly left the hall, carrying Lucien in the centre of the detachment.

Matters were now come to extremity on either side. The Council, thrown into the greatest disorder by these repeated military incursions, remained in violent agitation, furious against Buonaparte, but without the calmness necessary to adopt decisive measures.

Mean time, the sight of Napoleon, almost breathless, and bearing marks of personal violence, excited to the highest the indignation of the military. In broken words he told them, that when he wished to show them the road to lead the country to victory and fame, " they had answered him with daggers."

Cries of resentment arose from the soldiery, augmented when the party sent to extricate the president brought him to the ranks as to a sanctuary. Lucien, who seconded his brother admirably, or rather who led the way in this perilous adventure, mounted on horseback instantly, and called out, in a voice naturally deep and sonorous, " General, and you, soldiers! the President of the Council of Five Hundred proclaims to you, that factious men, with drawn daggers, have interrupted the deliberations of the Assembly. He authorizes you to employ force against these disturbers—The Assembly of Five Hundred is dissolved!"

Murat, deputed by Buonaparte to execute the commands of Lucien, entered the Orangerie with drums beating, at the head of a detachment with

fixed bayonets. He summoned the deputies to disperse on their peril, while an officer of the constitutional guard called out, he could be no longer answerable for their safety. Cries of fear became now mingled with vociferations of rage, execrations of abhorrence, and shouts of *Vive la République.* An officer then mounted the president's seat, and summoned the representatives to retire. "The General," said he, "has given orders."

Some of the deputies and spectators began now to leave the hall; the greater part continued firm, and sustained the shouts by which they reprobated this military intrusion. The drums at length struck up and drowned further remonstrance.

"Forward, grenadiers," said the officer who commanded the party. They levelled their muskets, and advanced as if to the charge. The deputies seem hitherto to have retained a lingering hope that their persons would be regarded as inviolable. They now fled on all sides, most of them jumping from the windows of the Orangerie, and leaving behind them their official caps, scarfs, and gowns. In a very few minutes the apartments were entirely clear; and thus, furnishing, at its conclusion, a striking parallel to the scene which ended the Long Parliament of Charles the First's time, terminated the last democratical assembly of France.[1]

Buonaparte affirms, that one of the general officers in his suite offered to take the command of

[1] [Thibaudeau, t. i. p. 56; Lacretelle, t. xv. p. 430; Thiers, t. x. p. 385; Montgaillard, t. v. p. 271.]

fifty men, and place them in ambush to fire on the deputies in their flight, which he wisely declined as a useless and gratuitous cruelty.[1]

The result of these violent and extraordinary measures was intimated to the Council of Ancients; the immediate cause of the expulsion of the Five Hundred being referred to the alleged violence on the person of Buonaparte, which was said by one member to have been committed by Arena, while another exaggerated the charge, by asserting that it was offered in consequence of Buonaparte's having made disclosure of some mal-practices of the Corsican deputy while in Italy. The *Moniteur* soon after improved this story of Arena and his single poniard, into a party consisting of Arena, Marquezzi, and other deputies, armed with pistols and daggers. At other times, Buonaparte was said to have been wounded, which certainly was not the case. The effect of the example of Brutus upon a republican, and an Italian to boot, might render the conduct ascribed to Arena credible enough; but the existence of a party armed with pocket-pistols and daggers, for the purpose of opposing regular troops, is too ridiculous to be believed. Arena published a denial of the attempt;[2] and

[1] [Gourgaud, t. i. p. 97.]

[2] ["I have heard some of Arena's countrymen declare that he was incapable of attempting so rash an act. The contrary opinion was, however, so prevalent, that he was obliged to retire to Leghorn, where he made an appeal to the justice of the first consul; who gave him no reply: but I never heard him say that he had noticed the attitude attributed to Arena."—Savary, t. i. p. 154.]

among the numbers who witnessed the scene no proof was ever appealed to, save the real evidence of a dagger found on the floor, and the torn sleeve of a grenadier's coat, circumstances which might be accounted for many ways. But having served at the time as a popular apology for the strong measures which had been adopted, the rumour was not allowed to fall asleep. Thomé, the grenadier, was declared to have merited well of his country by the Legislative Body, entertained at dinner by the general, and rewarded with a salute and a valuable jewel by Josephine. Other reports were put in circulation concerning the violent purposes of the Jacobins. It was said the ancient revolutionist, Santerre, was setting a popular movement on foot, in the Fauxbourg Saint Antoine, and that Buonaparte, through the ex-Director Moulins, had cautioned him against proceeding in his purpose, declaring, that if he did, he would have him shot by martial law.

But the truth is, that although there can be no doubt that the popular party entertained a full purpose of revolutionising the government anew, and restoring its republican character, yet they were anticipated and surprised by the movement of the 18th and 19th Brumaire, which could not, therefore, in strict language, be justified as a defensive measure. Its excuse must rest on the proposition which seems undoubted, that affairs were come to such extremity that a contest was unavoidable, and that therefore it was necessary for the moderate party to take the advantage of the first blow, though they exposed themselves in doing

so to the reproach of being called the aggressors in the contest.[1]

The Council of Ancients had expressed some alarm and anxiety about the employment of military force against the other branch of the constitutional representation. But Lucien Buonaparte, having succeeded in rallying around him about a hundred of the council of the juniors, assumed the character and office of that legislative body, now effectually purged of all the dissidents, and, as President of the Five Hundred, gave to the Council of Ancients such an explanation, as they, nothing loath to be convinced, admitted to be satisfactory. Both councils then adjourned till the 19th February, 1800, after each had devolved their powers upon a committee of twenty-five persons, who were instructed to prepare a civil code against the meeting of the legislative bodies. A provisional consular government was appointed, consisting of Buonaparte, Siêyes,[2] and Roger Ducos.

[1] ["Metaphysicians have disputed, and will long dispute, whether we did not violate the laws, and whether we were not criminal; but these are mere abstractions, at best fit for books and tribunes, and which ought to disappear before imperious necessity: one might as well blame a sailor for waste and destruction, when he cuts away his masts to avoid being overset. The fact is, that had it not been for us the country must have been lost; and we saved it. The authors and chief agents of that memorable state transaction may, and ought, instead of denials or justifications, to answer their accusers proudly, like the Romans, 'We protest that we have saved our country, come with us and return thanks to the gods.'"—Napoleon, *Las Cases*, t. iv. p. 331.]

[2] ["Siêyes, during the most critical moments, had remained in his carriage at the gate of St Cloud, ready to follow the march

The victory, therefore, of the eighteenth and nineteenth Brumaire, was, by dint of sword and bayonet, completely secured. It remained for the conquerors to consider the uses which were to be made of it.

of the troops. His conduct during the danger was becoming: he evinced coolness, resolution, and intrepidity."—GOURGAUD, t. i. p. 100.]

CHAPTER XVII.

Clemency of the New Consulate.—Beneficial change in the Finances.—Law of Hostages repealed.—Religious Liberty allowed.—Improvements in the War Department.—Pacification of La Vendée.—Ascendency of Napoleon.—Disappointment of Siêyes.—Committee formed to consider Siêyes' Plan of a Constitution—Rejected as to essentials.—A new one adopted, monarchical in every thing but form.—Siêyes retires from public life.—General view of the new Government.—Despotic Power of the First Consul.

THE victory obtained over the Directory and the democrats, upon the 18th and 19th Brumaire, was generally acceptable to the French nation. The feverish desire of liberty, which had been the characteristic of all descriptions of persons in the year 1792, was quenched by the blood shed during the Reign of Terror; and even just and liberal ideas of freedom had so far fallen into disrepute, from their resemblance to those which had been used as a pretext for the disgusting cruelties perpetrated at that terrible period, that they excited from association a kind of loathing as well as dread. The great mass of the nation sought no longer guarantees for metaphysical rights, but, broken down by suffering, desired repose, and were willing to submit to any government which promised to secure to them the ordinary benefits of civilisation.

Buonaparte and Siêyes,—for, though only during a brief space, they may still be regarded as joint authorities—were enabled to profit by this general acquiescence, in many important particulars. It put it in their power to dispense with the necessity of pursuing and crushing their scattered adversaries; and the French saw a revolution effected in their system, and that by military force, in which not a drop of blood was spilt. Yet, as had been the termination of most recent revolutions, lists of proscription were prepared; and without previous trial or legal sentence, fifty-nine of those who had chiefly opposed the new Consulate on the 18th and 19th Brumaire were condemned to deportation by the sole *fiat* of the consuls. Siêyes is said to have suggested this unjust and arbitrary measure, which, bearing a colour of revenge and persecution, was highly unpopular. It was not carried into execution. Exceptions were at first made in favour of such of the condemned persons as showed themselves disposed to be tractable; and at length the sentence was altogether dispensed with, and the more obnoxious partisans of democracy were only placed under the superintendence of the police.[1] This conduct showed at once conscious strength, and a spirit of clemency, than which no attributes can contribute more to the popularity of a new government; since the spirit of the opposition, deprived of hope of success, and yet not urged on by despair of personal safety, gradually becomes

[1] [Gourgaud, t. i. p. 120.]

disposed to sink into acquiescence. The democrats, or, as they were now termed, the anarchists, became intimidated, or cooled in their zeal; and only a few of the more enthusiastic continued yet to avow those principles, to breathe the least doubt of which had been, within but a few months, a crime worthy of death.

Other and most important decrees were adopted by the consuls, tending to lighten the burdens which their predecessors had imposed on the nation, and which had rendered their government so unpopular. Two of the most oppressive measures of the directors were repealed without delay.

The first referred to the finances, which were found in a state of ruinous exhaustion, and were only maintained by a system of compulsory and progressive loans, according to rates of assessment on the property of the citizens. The new minister of finance, Gaudin,[1] would not even go to bed, or sleep a single night, until he had produced a substitute for this ruinous resource, for which he levied an additional rise of twenty-five per cent on all contributions, direct and indirect, which produced a large sum. He carried order and regularity into all the departments of finance, improved the collection and income of the funds of

[1] [Subsequently Duke of Gaëta, who had long occupied the place of chief clerk of finance. "He was a man of mild manners, and of inflexible probity; proceeding slowly, but surely. He never had to withdraw any of his measures, because his knowledge was practical and the fruit of long experience."—NAPOLEON, *Gourgaud*, t. i. p. 109.]

the Republic, and inspired so much confidence by the moderation and success of his measures, that credit began to revive, and several loans were attained on easy terms.

The repeal of the law of hostages was a measure equally popular. This cruel and unreasonable enactment, which rendered the aged and weak, unprotected females, and helpless children of emigrants, or armed royalists, responsible for the actions of their relatives, was immediately mitigated. Couriers were despatched to open the prisons; and this act of justice and humanity was hailed as a pledge of returning moderation and liberality.

Important measures were also taken for tranquillizing the religious discord by which the country had been so long agitated. Buonaparte, who had lately professed himself more than half persuaded of the truth of Mahommed's mission, became now —such was the decree of Providence—the means of restoring to France the free exercise of the Christian faith. The mummery of Reveillière Lepaux's heathenism was by general consent abandoned. The churches were restored to public worship; pensions were allowed to such religious persons as took an oath of fidelity to the government; and more than twenty thousand clergymen, with whom the prisons had been filled, in consequence of intolerant laws, were set at liberty upon taking the same vow. Public and domestic rites of worship in every form were tolerated and protected; and the law of the decades, or Theophi-

lanthropic festivals, was abolished. Even the earthly relics of Pope Pius VI., who had died at Valence, and in exile, were not neglected, but received, singular to relate, the rites of sepulture with the solemnity due to his high office, by command of Buonaparte,[1] who had first shaken the Papal authority; and in doing so, as he boasted in his Egyptian proclamations, had destroyed the emblem of Christian worship.

The part taken by Cambacérès, the minister of justice, in the revolution of Brumaire, had been agreeable to Buonaparte; and his moderation now aided him in the lenient measures which he had determined to adopt. He was a good lawyer, and a man of sense and information, and under his administration means were taken to relax the oppressive severity of the laws against the emigrants. Nine of them, noblemen of the most ancient families in France, had been thrown on the coast near Calais by shipwreck, and the directors had meditated bringing to trial those whom the winds and waves had spared, as fallen under the class of emigrants returned to France without permission, against whom the laws denounced the penalty of death. Buonaparte more liberally considered their

[1] [" In returning from Egypt, Napoleon had conversed a few minutes at Valence with Spina, the Pope's almoner: he then learnt that no funeral honours had been paid to the Pope, and that his corpse was laid in the sacristy of the cathedral. A decree of the consuls ordered that the customary honours should be rendered to his remains, and that a monument of marble should be raised upon his tomb."—Gourgaud, t. i. p. 124.]

being found within the prohibited territory, as an act, not of violation, but of inevitable necessity, and they were dismissed accordingly.[1]

From the same spirit of politic clemency, La Fayette, Latour Maubourg, and others, who, although revolutionists, had been expelled from France for not carrying their principles of freedom sufficiently high and far, were permitted to return to their native country.

It may be easily believed that the military department of the state underwent a complete reform under the authority of Buonaparte. Dubois de Crancé, the minister at war under the directors, was replaced by Berthier; and Napoleon gives a strange picture of the incapacity of the former functionary. He declares he could not furnish a single report of the state of the army—that he had obtained no regular returns of the effective strength of the different regiments—that many corps had been formed in the departments, whose very existence was unknown to the minister at war; and, finally, that when pressed for reports of the pay, of the victualling, and of the clothing of the troops, he had replied, that the war department neither paid, clothed, nor victualled them. This may be exaggerated, for Napoleon disliked Dubois de Crancé[2] as his personal opponent; but the improvident and corrupt character of the directorial government renders the charge very probable. By the exer-

[1] [Gourgaud t. i. p. 125.]

[2] [After the 18th Brumaire, Dubois de Crancé withdrew into Champagne. He died in June 1814.]

tions of Berthier, accustomed to Buonaparte's mode of arrangements, the war department soon adopted a very different face of activity.[1]

The same department received yet additional vigour when the consuls called to be its head the celebrated Carnot, who had returned from exile, in consequence of the fall of the directors. He remained in office but a short time; for, being a democrat in principle, he disapproved of the personal elevation of Buonaparte; but during the period that he continued in administration, his services in restoring order in the military department, and combining the plans of the campaign with Moreau and Buonaparte, were of the highest importance.

Napoleon showed no less talent in closing the wounds of internal war, than in his other arrangements. The Chouans, under various chiefs, had disturbed the western provinces; but the despair of pardon, which drove so many malecontents to their standard, began to subside, and the liberal and accommodating measures adopted by the new Consular government, induced most to make peace with Buonaparte. This they did the more readily, that many of them believed the chief consul intended by degrees, and when the opportunity offered, to accomplish the restoration of the Bourbons. Many of the chiefs of the Chouans submitted to him, and afterwards supported his government. Chatillon, Suzannet, D'Autichamp, nobles and chiefs of the Royalist army, submitted at

[1] [Gourgaud, t. i. p. 108.]

Montluçon, and their reconciliation with the government, being admitted on liberal terms, was sincerely observed by them. Bernier, rector of St Lo, who had great influence in La Vendée, also made his peace, and was afterwards made Bishop of Orleans by Buonaparte, and employed in negotiating the Concordat with the Pope.

Count Louis de Frotté, an enterprising and high-spirited young nobleman, refused for a long time to enter into terms with Buonaparte; so did another chief of the Chouans, called George Cadoudal, a peasant of the district of Morbihan, raised to the command of his countrymen, because, with great strength and dauntless courage, he combined the qualities of enterprise and sagacity. Frotté was betrayed and made prisoner in the house of Guidal, commandant at Alençon, who had pretended friendship to him, and had promised to negotiate a favourable treaty on his behalf. He and eight or nine of his officers were tried by a military commission, and condemned to be shot They marched hand in hand to the place of execution, remained to the last in the same attitude, expressive of their partaking the same sentiments of devotion to the cause in which they suffered, and died with the utmost courage. George Cadoudal, left alone, became unable to support the civil war, and laid down his arms for a time. Buonaparte, whose policy it was to unite in the new order of things as many and as various characters as possible, not regarding what parts they had formerly played, provided they now attached themselves to his person, took great pains to gain

over a man so resolute as this daring Breton. He had a personal interview with him, which he says George Cadoudal solicited; yet why he should have done so it is hard to guess, unless it were to learn whether Buonaparte had any ultimate purpose of serving the Bourbon interest. He certainly did not request the favour in order to drive any bargain for himself, since Buonaparte frankly admits, that all his promises and arguments failed to make any impression upon him; and that he parted with George, professing still to entertain opinions for which he had fought so often and so desperately.[1]

In another instance which happened at this period, Buonaparte boasts of having vindicated the insulted rights of nations. The Senate of Hamburgh had delivered up to England Napper Tandy, Blackwell, and other Irishmen, concerned in the rebellion which had lately wasted Ireland. Buonaparte took this up in a threatening tone, and expounded to their trembling envoy the rights of a neutral territory, in language, upon which the subsequent tragedy of the Duke d'Enghien formed a singular commentary.[2]

[1] [Gourgaud, t. i. p. 137.]

[2] [The Senate of Hamburgh lost no time in addressing a long letter to Napoleon, to testify their repentance. He replied to them thus:—"I have received your letter, gentlemen; it does not justify you. Courage and virtue are the preservers of states; cowardice and crime are their ruin. You have violated the laws of hospitality, a thing which never happened among the most savage hordes of the Desert. Your fellow-citizens will for ever reproach you with it. The two unfortunate men whom you have given up, die with glory; but their blood will bring more evil upon their persecutors than it would be in the power of an army

While Buonaparte was thus busied in adopting measures for composing internal discord, and renewing the wasted resources of the country, those discussions were at the same time privately carrying forward, which were to determine by whom and in what way it should be governed. There is little doubt, that when Siêyes undertook the revolution of Brumaire, he would have desired for his military assistant a very different character from Buonaparte. Some general would have best suited him who possessed no knowledge beyond that of his profession, and whose ambition would have been contented to accept such share of power as corresponded to his limited views and capacity. The wily priest, however, saw that no other coadjutor save Buonaparte could have availed him, after the return of the latter from Egypt, and was not long of experiencing that Napoleon would not be satisfied with any thing short of the lion's share of the spoil.

At the very first meeting of the consuls, the defection of Roger Ducos to the side of Buonaparte convinced Siêyes, that he would be unable to support those pretensions to the first place in the government, to which his friends had expected to see him elevated. He had reckoned on Ducos's vote for giving him the situation of first consul; but Ducos saw better where the Nov. 11.

to do." A solemn deputation from the Senate arrived at the Tuileries to make public apologies to Napoleon. He again testified his indignation, and when the envoys urged their weakness, he said to them, "Well! and had you not the resource of weak states? was it not in your power to let them escape?"—Gourgaud, t. i. p. 128; Thibaudeau, t. i. p. 169.]

force and talent of the Consulate must be considered as reposed. "General," said he to Napoleon, at the first meeting of the Consular body, "the presidency belongs to you as a matter of right." Buonaparte took the chair accordingly as a thing of course. In the course of the deliberations, Siêyes had hoped to find that the general's opinions and interference would have been limited to military affairs; whereas, on the contrary, he heard him express distinctly, and support firmly, propositions on policy and finance, religion and jurisprudence. He showed, in short, so little occasion for an independent coadjutor, that Siêyes appears from this, the very first interview, to have given up all hopes of establishing a separate interest of his own, and to have seen that the Revolution was from that moment ended. On his return home, he said to those statesmen with whom he had consulted and acted preceding the eighteenth Brumaire, as Talleyrand, Boulay, Rœderer, Cabanis, &c.—"Gentlemen, you have a Master—give yourself no farther concern about the affairs of the state—Buonaparte can and will manage them all at his own pleasure."[1]

This declaration must have announced to those who heard it, that the direct and immediate advantages proposed by the revolution were lost; that the government no longer rested on the popular basis, but that, in a much greater degree than could have been said to have been the case during the reign of the Bourbons, the whole measures of state

[1] [Gourgaud, t. i. p. 107; Fouché, t. i. p. 128.]

must in future rest upon the arbitrary pleasure of one man.

It was in the mean time necessary that some form of government should be established without delay, were it only to prevent the meeting of the two Councils, who must have resumed their authority, unless superseded by a new constitution previous to the 19th February, 1800, to which day they had been prorogued. As a previous measure, the oath taken by official persons was altered from a direct acknowledgment of the constitution of the year Three, so as to express a more general profession of adherence to the cause of the French nation. How to salve the wounded consciences of those who had previously taken the oath in its primitive form, no care was used, nor does any appear to have been thought necessary.[1]

The three consuls, and the legislative committees, formed themselves into a General Committee, for the purpose of organizing a constitution;[2] and Siêyes was invited to submit to them that model, on the preparation of which he used to pique himself, and had been accustomed to receive the flattery of his friends. He appears to have obeyed the call slowly, and to have produced his plan partially, and by fragments;[3] Dec.

[1] [Gourgaud, t. i. p. 140.]

[2] [The committee met in Napoleon's apartment, from nine in the evening until three in the morning.—GOURGAUD, t. i. p. 141.]

[3] ["Siêyes affected silence. I was commissioned to penetrate his mystery. I employed Réal, who, using much address with an appearance of great good-nature, discovered the basis of Siêyes's project, by getting Chenier, one of his confidants, to

probably because he was aware, that the offspring of his talents would never be accepted in its entire form, but must necessarily undergo such mutilations as might fit it for the purposes and to the pleasure of the dictator, whose supremacy he had been compelled to announce to his party.

On being pressed by his colleagues in the committee, the metaphysical politician at length produced his full plan of the hierarchical representation, whose authority was to emanate from the choice of the people and of a Conservative Senate, which was at once to protect the laws of the commonwealth, and *absorb*, as it was termed, all furious and over-ambitious spirits, by calling them, when they distinguished themselves by any irregular exertion of power, to share the comforts and incapacities of their own body, as they say spirits of old were conjured down, and obliged to abide in the Red Sea. He then brought forward his idea of a Legislative Body, which was to vote and decide, but without debate; and his Tribunate, designed to plead for, or to impeach the measures of government. These general outlines were approved, as being judged likely to preserve more stability and permanence than had been found to appertain to the constitutions, which, since 1792, had, in such quick succession, been adopted and abandoned

chatter, upon rising from dinner, at which wines and other intoxicating liquors had not been spared. Upon this information, a secret council was held, at which the conduct to be pursued by Buonaparte in the general conferences was discussed."—FOUCHÉ, t. i. p. 138.]

But the idea which Siêyes entertained of lodging the executive government in a Grand Elector, who was to be the very model of a King of Lubberland, was the ruin of his plan. It was in vain, that in hopes of luring Buonaparte to accept of this office, he had, while depriving it of all real power, attached to it a large revenue, guards, honours, and rank. The heaping with such distinctions an official person, who had no other duty than to name two consuls, who were to carry on the civil and military business of the state without his concurrence or authority, was introducing into a modern state the evils of a worn-out Asiatic empire, where the Sultan, or Mogul, or whatever he is called, lies in his Haram in obscure luxury, while the state affairs are conducted exclusively by his viziers, or lieutenants.

Buonaparte exclaimed against the whole concoction.—"Who," said he, "would accept an office, of which the only duties were to fatten like a pig upon so many millions yearly?[1]—Or what man of spirit would consent to name ministers, over whom, being named, he was not to exercise the slightest authority?—And your two consuls for war and peace, the one surrounded with judges, churchmen, and civilians,—the other with military men and

[1] ["Napoleon now began, he said, to laugh in Siêyes's face, and to cut up all his metaphysical nonsense without mercy. 'You take,' he said, 'the abuse for the principle, the shadow for the body. And how can you imagine, M. Siêyes, that a man of any talent, or the least honour, will resign himself to act the part of a pig fattening on a few millions.' After this sally, which made those who were present laugh immoderately, Siêyes remained overwhelmed."—NAPOLEON, *Las Cases*, t. iv. p. 335.]

diplomatists,—on what footing of intercourse can they be said to stand respecting each other?—the one demanding money and recruits, the other refusing the supplies? A government involving such a total separation of offices necessarily connected, would be heterogeneous,—the shadow of a state, but without the efficient authority which should belong to one."

Siêyes did not possess powers of persuasion or promptness of speech in addition to his other talents. He was silenced and intimidated, and saw his favourite Elector-General, with his two Consuls, or rather viziers, rejected, without making much effort in their defence.

Still the system which was actually adopted, bore, in point of form, some faint resemblance to the model of Siêyes. Three Consuls were appointed; the first to hold the sole power of nominating to public offices, and right of determining on public measures; the other two were to be his indispensable counsellors. The first of these offices was designed to bring back the constitution of France to a monarchical system, while the second and third were added merely to conciliate the Republicans, who were not yet prepared for a retrograde movement.

The office of one of these supplementary consuls was offered to Siêyes, but he declined to accept of it, and expressed his wish to retire from public life. His disappointment was probably considerable, at finding himself acting but a second-rate part, after the success of the conspiracy which he had himself schemed; but his pride was not so

great as to decline a pecuniary compensation. Buonaparte bestowed on him by far the greater part of the private treasure amassed by the ex-directors. It was said to amount to six hundred thousand francs, which Siêyes called *une poire pour la soif;* in English, a morsel to stay the stomach.[1] He was endowed also with the fine domain and estate of Crosne;[2] and to render the gift more acceptable, and save his delicacy, a decree was issued, compelling him to accept of this manifestation of national gratitude. The office of a senator gave him dignity; and the yearly appointment of twenty-five thousand francs annexed to it, added to the ease of his situation.[3] In short, this celebrated metaphysician disappeared as a political person, and became, to use his own expression, *absorbed* in the pursuit of epicurean indulgences, which he covered with a veil of mystery. There is no doubt that by thus showing the greedy and mercenary turn of his nature, Siêyes, notwithstanding his abilities, lost in a great measure the esteem and reverence of his countrymen; and this was a consequence not probably unforeseen by Buonaparte, when he loaded him with wealth.

To return to the new constitution. Every spe-

[1] [Las Cases, t. iv. p. 333.]

[2] [" Upon the occasion of this gift, the following sorry rhymes were in every one's mouth:—

" Buonaparte à Siêyes a fait présent de Crôsne,
Siêyes à Buonaparte a fait présent du Trône."

MONTGAILLARD, t. v. p. 318.]

[3] [" Siêyes was the most unfit man in the world for power; but his perceptions were often luminous, and of the highest importance. He was fond of money; but of strict integrity."—NAPOLEON, *Gourgaud*, t. iv. p. 152.]

cies of power and faculty was heaped upon the chief consul, with a liberality which looked as if France, to atone for her long jealousy of those who had been the administrators of her executive power, was now determined to remove at once every obstacle which might stand in the way of Buonaparte to arbitrary power. He possessed the sole right of nominating counsellors of state, ministers, ambassadors, officers, civil and military, and almost all functionaries whatsoever. He was to propose all new laws, and take all measures for internal and external defence of the state. He commanded all the forces, of whatever description, superintended all the national relations at home and abroad, and coined the public money. In these high duties he had the advice of his brother consuls, and also of a Council of State. But he was recognised to be independent of them all. The consuls were to be elected for the space of ten years, and to be re-eligible.

The Abbé Siêyes's plan of dividing the people into three classes, which should each of them declare a certain number of persons eligible to certain gradations of the state, was ostensibly adopted. The lists of these eligible individuals were to be addressed by the various electoral classes to the Conservative Senate, which also was borrowed from the abbé's model. This body, the highest and most august in the state, were to hold their places for life, and had a considerable pension attached to them. Their number was not to exceed eighty, and they were to have the power of supplying vacancies in their own body, by choosing the future

senator from a list of three persons; one of them proposed by the Chief Consul, one by the Legislative Body, and one by the Tribunate. Senators became for ever incapable of any other public duty. Their duty was to receive the national lists of persons eligible for official situations, and to annul such laws or measures as should be denounced to their body, as unconstitutional or impolitic, either by the Government or the Tribunate. The sittings of the Senate were not public.

The new constitution of France also adopted the Legislative Body and the Tribunate proposed by the Abbé Siêyes. The duty of the Legislative Body was to take into consideration such laws as should be approved by the Tribunate, and pass or refuse them by vote, but without any debate, or even an expression of their opinion.

The Tribunate, on the contrary, was a deliberative body, to whom the chief consul, and his Council of State, with whom alone lay the initiative privilege, were to propose such laws as appeared to them desirable. These, when discussed by the Tribunate, and approved of by the silent assent of the Legislative Body, passed into decrees, and became binding upon the community. The Legislative Body heard the report of the Tribunate, as expressed by a deputation from that body; and by their votes alone, but without any debate or delivery of opinion, refused or confirmed the proposal. Some of the more important acts of government, such as the proclamation of peace or war, could only take place on the motion of the chief consul to the Tribunate, upon their recommending the measure

to the Legislative Body; and, finally, upon the legislative commissions affirming the proposal. But the power of the chief consul was not much checked by this restriction; for the discussion on such subjects was only to take place on his own requisition, and always in secret committee; so that the greatest hinderance of despotism, the weight of public opinion formed upon public debate, was totally wanting.

A very slight glance at this Consular form of government is sufficient to show, that Buonaparte selected exactly as much of the ingenious constitution of Siêyes as was applicable to his own object of acquiring supreme and despotic authority, while he got rid of all, the Tribunate alone excepted, which contained, directly or indirectly, any check or balance affecting the executive power. The substitution of lists of eligible persons or candidates, to be made up by the people, instead of the popular election of actual representatives, converted into a metaphysical and abstract idea the real safeguard of liberty. It may be true, that the authority of an official person, selected from the national lists, might be said originally to emanate from the people; because, unless his name had received their sanction, he could not have been eligible. But the difference is inexpressibly great, between the power of naming a single direct representative, and that of naming a thousand persons, any of whom may be capable of being created a representative; and the popular interference in the state, which had hitherto comprehended the former privilege, was now restrained to the latter and

more insignificant one. This was the main error in Siêyes's system, and the most fatal blow to liberty, whose constitutional safety can hardly exist, excepting in union with a direct and unfettered national representation, chosen by the people themselves.

All the other balances and checks which the Abbé had designed to substitute instead of that which arises from popular election, had been broken and cast away; while the fragments of the scheme that remained were carefully adjusted, so as to form the steps by which Buonaparte was to ascend to an unlimited and despotic throne. Siêyes had proposed that his elector general should be merely a graceful termination to his edifice, like a gilded vane on the top of a steeple—a sovereign without power—a *roi fainéant*,[1] with two consuls to act as joint *Maires des palais*. Buonaparte, on the contrary, gave the whole executive power in the state, together with the exclusive right of proposing all new laws, to the chief consul, and made the others mere appendages, to be thrown aside at pleasure.

Neither were the other constitutional authorities calculated to offer effectual resistance to the engrossing authority of this all-powerful officer. All these bodies were, in fact, mere pensioners. The

[1] ["The grand elector, if he confine himself entirely to the functions you assign him, will be the shadow, but the mere fleshless shadow, of a *roi fainéant*. Can you point out a man base enough to humble himself to such mockery? Such a government would be a monstrous creation, composed of heterogeneous parts, presenting nothing rational. It is a great mistake to suppose that the shadow of a thing can be of the same use as the thing itself."—NAPOLEON, *Gourgaud*, t. i. p. 148.]

Senate, which met in secret, and the Legislative Body, whose lips were padlocked, were alike removed from influencing public opinion, and being influenced by it. The Tribunate, indeed, consisting of a hundred persons, retained in some sort the right of debate, and of being publicly heard. But the members of the Tribunate were selected by the Senate, not by the people, whom, except in metaphysical mockery, it could not be said to represent any more than a bottle of distilled liquor can be said to represent the sheaf of grain which it was originally drawn from. What chance was there that, in a hundred men so chosen, there should be courage and independence enough found to oppose that primary power, by which, like a steam-engine, the whole constitution was put in motion? Such tribunes were also in danger of recollecting, that they only held their offices for four years, and that the senators had their offices for life; while a transition from the one state to the other was in general thought desirable, and could only be gained by implicit obedience during the candidate's probation in the Tribunate. Yet, slender as was the power of this tribunate body, Buonaparte showed some jealousy even of this slight appearance of freedom; although, justly considered, the Senate, the Conservative Body, and the Tribunate, were but three different pipes, which, separately or altogether, uttered sound at the pleasure of him who presided at the instrument.

The spirit of France must have been much broken when this arbitrary system was adopted without debate or contradiction; and when we remem-

ber the earlier period of 1789, it is wonderful to consider how, in the space of ten years, the race of men, whose love of liberty carried them to such extravagances, seems to have become exhausted. Personal safety was now a principal object with most. They saw no alternative between absolute submission to a military chief of talent and power, and the return to anarchy and new revolutionary excesses.

During the sitting of Buonaparte's Legislative Committee, Madame de Staël expressed, to a representative of the people, her alarms on the subject of liberty. "Oh, madam," he replied, "we are arrived at an extremity in which we must not trouble ourselves about saving the principles of the Revolution, but only the lives of the men by whom the Revolution was effected."[1]

Yet more than one exertion is said to have been made in the committee, to obtain some modification of the supreme power of the chief consul, or at least some remedy in case of its being abused. Several members of the committee which adjusted the new constitution, made, it is said, an effort to persuade Buonaparte, that, in taking possession of the office of supreme magistrate, without any preliminary election, he would evince an ambition which might prejudice him with the people; and, entreating him to be satisfied with the office of generalissimo of the armies, with full right of treating with foreign powers, invited him to set off to the frontier and resume his train of victories. "I will remain at Paris," said Buonaparte, biting his

[1] [Consid. sur la Rév. Française t. ii. p. 248.]

nails to the quick, as was his custom when agitated —" I will remain at Paris—I am chief consul."

Chenier hinted at adopting the doctrine of absorption, but was instantly interrupted—" I will have no such mummery," said Buonaparte ; " blood to the knees rather."[1] These expressions may be exaggerated; but it is certain that, whenever there was an attempt to control his wishes, or restrict his power, such a discontented remark as intimated " that he would meddle no more in the business," was sufficient to overpower the opposition. The committee saw no option betwixt submitting to the authority of this inflexible chief, or encountering the horrors of a bloody civil war. Thus were lost at once the fruits of the virtues, the crimes, the blood, the treasure, the mass of human misery, which, flowing from the Revolution, had agitated France for ten years; and thus, having sacrificed almost all that men hold dear, the rights of humanity themselves included, in order to obtain national liberty, her inhabitants, without having enjoyed rational freedom, or the advantages which it ensures, for a single day, returned to be the vassals of a despotic government, administered by a chief whose right was only in his sword. A few reflections on what might or ought to have been Buonaparte's conduct in this crisis, naturally arise out of the subject.

We are not to expect, in the course of ordinary life, moral any more than physical miracles. There have lived men of a spirit so noble, that, in serving

[1] Mémoires de Fouché, t. i. p. 104.

their country, they had no other object beyond the merit of having done so; but such men belong to a less corrupted age than ours, and have been trained in the principles of disinterested patriotism, which did not belong to France, perhaps not to Europe, in the eighteenth century. We may, therefore, take it for granted, that Buonaparte was desirous, in some shape or other, to find his own interest in the service of his country, that his motives were a mixture of patriotism and the desire of self advancement; and it remains to consider in what manner both objects were to be best obtained.

The first alternative was the reestablishment of the Republic, upon some better and less perishable model than those which had been successively adopted and abandoned by the French, in the several phases of the Revolution. But Buonaparte had already determined against this plan of government, and seemed unalterably convinced, that the various misfortunes and failures which had been sustained in the attempt to convert France into a republic, afforded irrefragable evidence that her natural and proper constitutional government must be monarchical. This important point settled, it remained, 1st, To select the person in whose hand the kingly power was to be intrusted. 2dly, To consider in what degree the monarchical principle should be mingled with, and qualified by, securities for the freedom of the people, and checks against the encroachments of the prince.

Having broken explicitly with the Republicans, Buonaparte had it in his power, doubtless, to have united with those who desired the restoration of

the Bourbons, who at this moment formed a large proportion of the better classes in France. The name of the old dynasty must have brought with it great advantages. Their restoration would have at once given peace to Europe, and in a great measure reconciled the strife of parties in France. There was no doubt of the possibility of the counter-revolution; for what was done in 1814 might have been still more easily done in 1799. Old ideas would have returned with ancient names, and at the same time security might have been given, that the restored monarch should be placed within such legal restraints as were necessary for the protection of the freedom of the subject. The principal powers of Europe, if required, would have gladly guaranteed to the French people any class of institutions which might have been thought adequate to this purpose.

But, besides that such a course cut off Buonaparte from any higher reward of his services, than were connected with the rank of a subject, the same objections to the restoration of the Bourbon family still prevailed, which we have before noticed. The extreme confusion likely to be occasioned by the conflicting claims of the restored emigrants, who had left France with all the feelings and prejudices peculiar to their birth and quality, and those of the numerous soldiers and statesmen, who had arisen to eminence during the revolution, and whose pretensions to rank and office would be urged with jealous vehemence against those who had shared the fortunes of the exiled monarch, was a powerful objection to the

restoration. The question concerning the national domains remained as embarrassing as before; for, while the sales which had been made of that property could scarce be cancelled without a severe shock to national credit, the restored Bourbons could not, on the other hand, fail to insist upon an indemnification to the spirituality, who had been stripped of their property for their adherence to their religious vows, and to the nobles, whose estates had been forfeited for their adherence to the throne. It might also have been found, that, among the army, a prejudice against the Bourbons had survived their predilection for the Republic, and that although the French soldiers might see with pleasure a crown placed on the brow of their favourite general, they might be unwilling to endure the restoration of the ancient race, against whom they had long borne arms

All these objections against attempting to recall the ancient dynasty, have weight in themselves, and may readily have appeared insuperable to Buonaparte; especially considering the conclusion to be, that if the Bourbons were found ineligible, the crown of France—with a more extended empire, and more unlimited powers—was in that case to rest with Buonaparte himself. There is no doubt that, in preferring the title of the Bourbons, founded on right, to his own, which rested on force and opportunity alone, Buonaparte would have acted a much more noble, generous, and disinterested part, than in availing himself of circumstances to establish his own power; nay, that, philosophically speaking, such a choice might have been wiser and

happier. But in the ordinary mode of viewing and acting in this world, the temptation was immense; and Buonaparte was, in some measure, unfettered by the circumstances which might have withheld some of his contemporaries from snatching at the crown that seemed to await his grasp. Whatever were the rights of the Bourbons, abstractedly considered, they were not of a kind to force themselves immediately upon the conscience of Buonaparte. He had not entered public life, was indeed a mere boy, when the general voice of France, or that which appeared such, drove the ancient race from the throne; he had acted during all his life hitherto in the service of the French government *de facto*; and it was hard to require of him, now of a sudden, to sacrifice the greatest stake which a man ever played for, to the abstract right of the king *de jure*. Candour will therefore allow, that though some spirits, of an heroic pitch of character, might, in his place, have acted otherwise, yet the conduct of Buonaparte, in availing himself, for his own advantage, of the height which he had attained by his own talents, was too natural a course of action to be loaded with censure by any one, who, if he takes the trouble to consider the extent of the temptation, must acknowledge in his heart the difficulty of resisting it.

But, though we may acknowledge many excuses for the ambition which induced Buonaparte to assume the principal share of the new government, and although we were even to allow to his admirers that he became first consul purely because his doing so was necessary to the welfare of

France, our candour can carry us no farther. We cannot for an instant sanction the monstrous accumulation of authority which engrossed into his own hands all the powers of the state, and deprived the French people, from that period, of the least pretence to liberty, or power of protecting themselves from tyranny. It is in vain to urge, that they had not yet learned to make a proper use of the invaluable privileges of which he deprived them—equally in vain to say, that they consented to resign what it was not in their power to defend. It is a poor apology for theft, that the person plundered knew not the value of the gem taken from him; a worse excuse for robbery, that the party robbed was disarmed and prostrate, and submitted without resistance, where to resist would have been to die. In choosing to be the head of a well-regulated and limited monarchy, Buonaparte would have consulted even his own interest better, than by preferring, as he did, to become the sole animating spirit of a monstrous despotism. The communication of common privileges, while they united discordant factions, would have fixed the attention of all on the head of the government, as their mutual benefactor. The constitutional rights which he had reserved for the crown would have been respected, when it was remembered that the freedom of the people had been put in a rational form, and its privileges rendered available by his liberality.

Such checks upon his power would have been as beneficial to himself as to his subjects. If, in the course of his reign, he had met constitutional

opposition to the then immense projects of conquest, which cost so much blood and devastation, to that opposition he would have been as much indebted, as a person subject to fits of lunacy is to the bonds by which, when under the influence of his malady, he is restrained from doing mischief. Buonaparte's active spirit, withheld from warlike pursuits, would have been exercised by the internal improvement of his kingdom. The mode in which he used his power would have gilded over, as in many other cases, the imperfect nature of his title, and if he was not, in every sense, the legitimate heir of the monarchy, he might have been one of the most meritorious princes that ever ascended the throne. Had he permitted the existence of a power expressive of the national opinion to exist, co-equal with and restrictive of his own, there would have been no occupation of Spain, no war with Russia, no imperial decrees against British commerce. The people who first felt the pressure of these violent and ruinous measures, would have declined to submit to them in the outset. The ultimate consequence—the overthrow, namely, of Napoleon himself, would not have taken place, and he might, for aught we can see, have died on the throne of France, and bequeathed it to his posterity, leaving a reputation which could only be surpassed in lustre by that of an individual who should render similar advantages to his country, yet decline the gratification, in any degree, of his personal ambition.

In short it must always be written down, as Buonaparte's error as well as guilt, that, misusing

the power which the 18th Brumaire threw into his hands, he totally destroyed the liberty of France, or, we would say, more properly, the chance which that country had of attaining a free, and, at the same time, a settled government. He might have been a patriot prince, he chose to be a usurping despot—he might have played the part of Washington, he preferred that of Cromwell.[1]

[1] [The constitution of the year VIII, so impatiently expected by all ranks of citizens, was published and submitted to the sanction of the people on the 13th of December, and proclaimed on the 24th of the same; the provisional government having lasted forty-three days. The Legislative Body and the Tribunate entered on their functions the 1st day of January, 1800.]

CHAPTER XVIII.

Proceedings of Buonaparte in order to consolidate his Power —His great success— Causes that led to it.— Cambacérès and Le Brun chosen Second and Third Consuls.— Talleyrand appointed Minister for Foreign Affairs, and Fouché Minister of Police— Their Characters.— Other Ministers nominated.— Various Changes made, in order to mark the Commencement of a new Era.—Napoleon addresses a Letter personally to the King of England— Answered by Lord Grenville.—Negotiation for Peace that followed, speedily broken off.— Campaigns in Italy, and on the Rhine—Successes of Moreau— Censured by Napoleon for Over-caution.— The Charge considered.— The Chief Consul resolves to bring back, in Person, Victory to the French Standards in Italy—His Measures for that Purpose.

THE structure of government which Buonaparte had selected out of the broken outlines of the plan of Siêyes, being not only monarchical but despotic, it remained that its offices should be filled with persons favourable to the new order of things; and to this the attention of Buonaparte was especially turned. In order to secure the selection of the official individuals to himself, he eluded entirely the principle by which Siêyes had proposed to elaborate his national representatives out of the various signed lists of eligibility, to be made up by the three classes into which his hierarchy divided

the French people. Without waiting for these lists of eligible persons, or taking any other rule but his own pleasure, and that of his counsellors, the two new consuls, Buonaparte named sixty senators; the senators named a hundred tribunes, and three hundred legislators; and thus the whole bodies of the state were filled up, by a choice emanating from the executive government, instead of being vested, more or less directly, in the people.

In availing himself of the privileges which he had usurped, the first consul, as we must now call him, showed a moderation as artful as it was conciliatory. His object was to avoid the odium of appearing to hold his rank by his military character only. He desired, on the contrary, to assemble round him a party, in which the predominant character of individuals, whatever it had hitherto been, was to be merged in that of the new system; as the statuary throws into the furnace broken fragments of bronze of every various description, without regarding their immediate appearance or form, his purpose being to unite them by fusion, and bestow upon the mass the new shape which his art destines it to represent.

With these views, Napoleon said to Siêyes, who reprobated the admission of Fouché into office and power, "we are creating a new era. Of the past, we must forget the bad, and only remember the good. Time, habits of business, and experience, have formed many able men, and modified many characters."[1] These words may be regarded as

[1] [Gourgaud, t. i. p. 118.]

the key-note of his whole system. Buonaparte did not care what men had been formerly, so that they were now disposed to become that which was suitable for his interest, and for which he was willing to reward them liberally. The former conduct of persons of talent, whether in politics or morality, was of no consequence, providing they were willing, now, faithfully to further and adhere to the new order of things. This prospect of immunity for the past, and reward for the future, was singularly well calculated to act upon the public mind, desirous as it was of repose, and upon that of individuals, agitated by so many hopes and fears as the Revolution had set afloat. The consular government seemed a general place of refuge and sanctuary to persons of all various opinions, and in all various predicaments. It was only required of them, in return for the safety which it afforded, that they should pay homage to the presiding deity.

So artfully was the system of Buonaparte contrived, that each of the numerous classes of Frenchmen found something in it congenial to his habits, his feelings, or his circumstances, providing only he was willing to sacrifice to it the essential part of his political principles. To the Royalist, it restored monarchical forms, a court, and a sovereign—but he must acknowledge that sovereign in Buonaparte. To the churchman, it opened the gates of the temples, removed the tyranny of the persecuting philosophers—promised in course of time a national church—but by the altar must be placed the image of Buonaparte. The Jacobin, dyed double red in murder and massacre, was welcome

to safety and security from the aristocratic vengeance which he had so lately dreaded. The regicide was guaranteed against the return of the Bourbons—they who had profited by the Revolution as purchasers of national domains, were ensured against their being resumed. But it was under the implied condition, that not a word was to be mentioned by those ci-devant democrats, of liberty or equality: the principles for which forfeitures had been made, and revolutionary tribunals erected, were henceforth never to be named. To all these parties, as to others, Buonaparte held out the same hopes under the same conditions.—"All these things will I give you, if you will kneel down and worship me." Shortly afterwards, he was enabled to place before those to whom the choice was submitted, the original temptation in its full extent—a display of the kingdoms of the earth, over which he offered to extend the empire of France, providing always he was himself acknowledged as the object of general obedience, and almost adoration.

The system of Buonaparte, as it combined great art with an apparent generosity and liberality, proved eminently successful among the people of France, when subjected to the semblance of a popular vote. The national spirit was exhausted by the changes and the sufferings, the wars and the crimes, of so many years; and in France, as in all other countries, parties, exhausted by the exertions and vicissitudes of civil war, are in the very situation where military tyranny becomes the next crisis. The rich favoured Buonaparte for the sake of protection,—the poor for that of relief,—the

emigrants, in many cases, because they desired to return to France,—the men of the Revolution, because they were afraid of being banished from it;—the sanguine and courageous crowded round his standard in hope of victory,—the timid cowered behind it in the desire of safety. Add to these the vast multitude who follow the opinions of others, and take the road which lies most obvious, and is most trodden, and it is no wonder that the 18th Brumaire, and its consequences, received the *general* sanction of the people. The constitution of the year Eight, or Consular Government, was approved by the suffrages of nearly four millions of citizens,[1] —a more general approbation than any preceding system had been received with. The vote was doubtless a farce in itself, considering how many constitutions had been adopted and sworn to within so short a space; but still the numbers who expressed assent, more than doubling those *votes* which were obtained by the constitution of 1792 and of the year Three, indicate the superior popularity of Buonaparte's system.

To the four millions who expressly declared their adherence to the new Consular constitution, must be added the many hundreds of thousands and millions more, who were either totally indifferent upon the form of government, providing they enjoyed peace and protection under it, *or* who, though abstractedly preferring other rulers, were practically disposed to submit to the party in possession of the power.

[1] [Out of 3,012,569 votes, 1562 rejected the new constitution; 3,011,007 accepted it.—See THIBAUDEAU, t. i. p. 117.]

Such and so extended being the principles on which Buonaparte selected the members of his government, he manifested, in choosing individuals, that wonderful penetration, by which, more perhaps than any man who ever lived, he was enabled at once to discover the person most capable of serving him, and the means of securing his attachment. Former crimes or errors made no cause of exclusion; and in several cases the alliance between the first consul and his ministers might have been compared to the marriages between the settlers on the Spanish mainland, and the unhappy females, the refuse of great cities, sent out to recruit the colony.—"I ask thee not," said the bucanier to the wife he had selected from the cargo of vice, "what has been thy former conduct; but, henceforth, see thou continue faithful to me, or this," striking his hand on his musket, "shall punish thy want of fidelity."

For second and third consuls, Buonaparte chose Cambacérès,[1] a lawyer, and a member of the moderate party, with Lebrun,[2] who had formerly cooperated with the Chancellor Maupeou. The former

[1] ["Cambacérès was of an honourable family in Languedoc; he was fifty years old; he had been a member of the Convention, and had conducted himself with moderation: he was generally esteemed, and had a just claim to the reputation which he enjoyed of being one of the ablest lawyers of the republic."—NAPOLEON, *Gourgaud*, t. i. p. 153.]

[2] ["Lebrun was sixty years of age, and came from Normandy. He was one of the best writers in France, a man of inflexible integrity; and he approved of the changes of the Revolution only in consideration of the advantages which resulted from them to the mass of the people, for his own family were all of the class of peasantry."—*Ibid*, p. 153.]

was employed by the chief consul as his organ of communication with the Revolutionists, while Lebrun rendered him the same service with the Royal party; and although, as Madame de Staël observes, they preached very different sermons on the same texts,[1] yet they were both eminently successful in detaching from their original factions many of either class, and uniting them with this third, or government party, which was thus composed of deserters from both. The last soon became so numerous, that Buonaparte was enabled to dispense with the *bascule*, or trimming system, by which alone his predecessors, the directors, had been enabled to support their power.

In the ministry, Buonaparte acted upon the same principle, selecting and making his own the men whose talents were most distinguished, without reference to their former conduct. Two were particularly distinguished, as men of the most eminent talents, and extensive experience. These were Talleyrand and Fouché. The former, noble by birth, and Bishop of Autun, notwithstanding his high rank in church and state, had been deeply engaged in the Revolution. He had been placed on the list of emigrants, from which his name was erased on the establishment of the Directorial government, under which he became minister of foreign affairs. He resigned that office in the summer preceding 18th Brumaire; and Buonaparte finding him at variance with the Directory, readily passed over some personal grounds of com-

[1] [Consid. sur la Rév. Française, t. ii. p. 255.]

plaint which he had against him, and enlisted in his service a supple and dexterous politician, and an experienced minister; fond, it is said, of pleasure, not insensible to views of self-interest, nor too closely fettered by principle, but perhaps unequalled in ingenuity. Talleyrand was replaced in the situation of minister for foreign affairs, after a short interval, assigned for the purpose of suffering the public to forget his prominent share in the scandalous treaty with the American commissioners, and continued for a long tract of time one of the closest sharers of Buonaparte's councils.[1]

If the character of Talleyrand bore no strong traces of public virtue or inflexible morality, that of Fouché was marked with still darker shades. He had been dipt in some of the worst transactions of the Reign of Terror, and his name is found among the agents of the dreadful crimes of that unhappy period. In the days of the Directory, he is stated to have profited by the universal peculation which was then practised, and to have amassed large sums by shares in contracts and brokerage in the public funds. To atone for the imperfections of a character stained with perfidy, venality, and indifference to human suffering, Fouché brought to Buonaparte's service a devotion, never like to fail the first consul unless his fortunes should happen to change; and a perfect experience with all the weapons of revolutionary war, and knowledge of those who were best able to wield them. He had managed under Barras's administration the

[1] [Thibaudeau, t. i. p. 115; Gourgaud, t. i p. 115.]

department of police; and, in the course of his agency, had become better acquainted perhaps than any man in France with all the various parties in that distracted country, the points which they were desirous of reaching, the modes by which they hoped to attain them, the character of their individual leaders, and the means to gain them over or to intimidate them. Formidable by his extensive knowledge of the revolutionary springs, and the address with which he could either put them into motion, or prevent them from operating, Fouché, in the latter part of his life, displayed a species of wisdom which came in place of morality and benevolence.

Loving wealth and power, he was neither a man of ardent passions, nor of a vengeful disposition; and though there was no scruple in his nature to withhold him from becoming an agent in the great crimes which state policy, under an arbitrary government, must often require, yet he had a prudential and constitutional aversion to unnecessary evil, and was always wont to characterise his own principle of action, by saying, that he did as little harm as he possibly could. In his mysterious and terrible office of head of the police, he had often means of granting favours, or interposing lenity in behalf of individuals, of which he gained the full credit, while the harsh measures of which he was the agent, were set down to the necessity of his situation. By adhering to these principles of moderation, he established for himself at length a character totally inconsistent with that belonging to a member of the revolutionary committee, and

resembling rather that of a timid but well-disposed servant, who, in executing his master's commands, is desirous to mitigate as much as possible their effect on individuals. It is, upon the whole, no wonder, that although Siêyes objected to Fouché, from his want of principle, and Talleyrand was averse to him from jealousy, interference, and personal enmity, Napoleon chose, nevertheless, to retain in the confidential situation of minister of police, the person by whom that formidable office had been first placed on an effectual footing.[1]

Of the other ministers, it is not necessary to speak in detail. Cambacérès retained the situation of minister of justice,[2] for which he was well qualified; and the celebrated mathematician, Laplace, was preferred to that of the Interior, for which he was not, according to Buonaparte's report, qualified at all.[3] Berthier, as we have already seen, filled the war department, and shortly afterwards Carnot; and Gaudin administered the finances with credit to

[1] [Gourgaud, t. i. p. 116.]

[2] ["When Cambacérès afterwards vacated the office, Buonaparte appointed M. d'Abrial, who died in 1828, a peer of France. On remitting the folio to the new minister, the first consul addressed him thus: 'M. d'Abrial, I know you not, but am informed you are the most upright man in the magistracy; it is on that account I name you minister of justice.'"—Bourrienne, t. ii. p. 118.]

[3] ["Laplace, a geometrician of the first rank, soon proved himself below mediocrity as a minister. On his very first essay, the consuls found that they had been mistaken; not a question did Laplace seize in its true point of view; he sought for subtleties in every thing; had none but problematical ideas, and carried the doctrine of infinite littleness into the business of administration."—Napoleon, *Gourgaud*, t. i. p. 116.]

himself. Forfait, a naval architect of eminence,[1] replaced Bourdon in the helpless and hopeless department of the French Admiralty.

A new constitution having been thus formed, and the various branches of duty distributed with much address among those best capable of discharging them, other changes were at the same time made, which were designed to mark that a new era was commenced, in which all former prejudices were to be abandoned and done away.

We have noticed that one of the first acts of the Provisional Government had been to new-modify the national oath, and generalize its terms, so that they should be no longer confined to the constitution of the year Three, but should apply to that which was about to be framed, or to any other which might be produced by the same authority.[2] Two subsequent alterations in the constitution, which passed without much notice, so much was the revolutionary or republican spirit abated, tended to show that farther changes were impending, and that the Consular Republic was speedily to adopt the name, as it already had the essence, of a monarchy. It was scarcely three months since the President of the Directory had said to the people, on the anniversary of the taking of the Bastile,— "Royalty shall never raise its head again. We

[1] ["Forfait, a native of Normandy, had the reputation of being a naval architect of first-rate talent, but he was a mere projector, and did not answer the expectations formed of him." —Napoleon, *Gourgaud*, t. i. p. 115.]

[2] [*Moniteur*, 31st Dec. 1799.]

shall no more behold individuals boasting a title from Heaven, to oppress the earth with more ease and security, and who considered France as their private patrimony, Frenchmen as their subjects, and the laws as the expression of their good-will and pleasure." Yet now, in contradiction to this sounding declamation, the national oath, expressing hatred to royalty, was annulled, under the pretext that the Republic, being universally acknowledged, had no occasion for the guard of such disclamations.

In like manner, the public observance of the day on which Louis XVI. had suffered decapitation, was formally abolished. Buonaparte, declining to pass a judgment on the action as just, politic, or useful, pronounced that, in any event, it could only be regarded as a national calamity, and was therefore in a moral, as well as a political sense, an unfit epoch for festive celebration. An expression of the first consul to Siêyes was also current at the same time, which, although Buonaparte may not have used it, has been generally supposed to express his sentiments. Siêyes had spoken of Louis under the established phrase of the Tyrant. "He was no tyrant," Buonaparte replied; "had he been such, I should have been a subaltern officer of artillery, and you, Monsieur l'Abbé, would have been still saying mass."[1]

A third sign of approaching change, or rather of the approaching return to the ancient system of government under a different chief, was the removal of the first consul from the apartments in the

[1] [Las Cases, t. iv. p. 337.]

Luxembourg palace, occupied by the directors, to the royal residence of the Tuileries. Madame de Staël beheld the entrance of this fortunate soldier into the princely residence of the Bourbons. He was already surrounded by a vassal crowd, eager to pay him the homage which the inhabitants of those splendid halls had so long claimed as their due, that it seemed to be consistent with the place, and to become the right of this new inhabitant. The doors were thrown open with a bustle and violence, expressive of the importance of the occasion. But the hero of the scene, in ascending the magnificent staircase, up which a throng of courtiers followed him, seemed totally indifferent to all around, his features bearing only a general expression of indifference to events, and contempt for mankind.[1]

The first measures of Buonaparte's new government, and the expectation attached to his name, had already gone some length in restoring domestic quiet; but he was well aware that much more must be done to render that quiet permanent; that the external relations of France with Europe must be attended to without delay; and that the French expected from him either the conclusion of an honourable peace, or the restoration of victory to their national banners. It was necessary, too, that advances towards peace should in the first place be made, in order, if they were unsuccessful, that a

[1] ["The choice of this residence was a stroke of policy. It was there that the King of France was accustomed to be seen; circumstances connected with that monarchy were there presented to every eye; and the very influence of the walls on the minds of spectators was, if we may say so, sufficient for the restoration of regal power."—MAD. DE STAËL, t. ii. p. 256.]

national spirit should be excited, which might reconcile the French to the renewal of the war with fresh energy.

Hitherto, in diplomacy, it had been usual to sound the way for opening treaties of peace by obscure and almost unaccredited agents, in order that the party willing to make propositions might not subject themselves to a haughty and insulting answer, or have their desire of peace interpreted as a confession of weakness. Buonaparte went into the opposite extreme, and addressed the King of England in a personal epistle. This Letter,[1] like

[1] ["French Republic—Sovereignty of the People—Liberty —Equality.

"Buonaparte, First Consul of the Republic, to his Majesty the King of Great Britain and Ireland.

"Paris, 5th Nivose, 8th year of the Republic, (25th Dec. 1799.)

"Called by the wishes of the French nation to occupy the first magistracy of the Republic, I think it proper, on entering into office, to make a direct communication of it to your Majesty. The war, which for eight years has ravaged the four quarters of the world, must it be eternal? Are there no means of coming to an understanding? How can the two most enlightened nations of Europe, powerful and strong beyond what their safety and independence require, sacrifice to ideas of vain greatness the benefits of commerce, internal prosperity, and the happiness of families? How is it that they do not feel that peace is the first necessity as well as the first glory? These sentiments cannot be foreign to the heart of your Majesty, who reign over a free nation, and with the sole view of rendering it happy. Your Majesty will only see, in this overture, my sincere desire to contribute efficaciously, for the second time, to a general pacification, by a proceeding prompt, entirely confidential, and disengaged from those forms which, necessary perhaps to disguise the dependence of weak states, prove only in the case of the strong the mutual desire of deceiving each other. France and England, by the abuse of their strength, may still, for a long time, for the

that to the Archduke Charles, during the campaign of 1797, intimates Buonaparte's affectation of superiority to the usual forms of diplomacy, and his pretence to a character determined to emancipate itself from rules only designed for mere ordinary men. But the manner of the address was in bad taste, and ill calculated to obtain credit for his being sincere in the proposal of peace. He was bound to know so much of the constitutional authority of the monarch whom he addressed, as to be aware that George III. would not, and could not, contract any treaty personally, but must act by the advice of those ministers whose responsibility was his guarantee to the nation at large. The terms of the letter set forth, as usual, the blessings of peace, and urged the propriety of its being restored; propositions which could not admit of dispute in the abstract, but which admit much discussion when coupled with unreasonable or inadmissible conditions.

The answer transmitted by Lord Grenville, in the forms of diplomacy, to the Minister for Foreign Affairs, dwelt on the aggressions of France, declared that the restoration of the Bourbons would have been the best security for their sincerity, but disavowed all right to dictate to France in her internal concerns. Some advances were made to a pacific treaty; and it is probable that England might at that period have obtained the same or

misfortune of all nations, retard the period of their being exhausted. But I will venture to say, the fate of all civilized nations is attached to the termination of a war which involves the whole world.

"BUONAPARTE."]

better terms than she afterwards got by the treaty of Amiens. It may be added, that the moderate principles expressed by the consular government, might, in the infancy of his power, and in a moment of considerable doubt, have induced Buonaparte to make sacrifices, to which, triumphant and established, he would not condescend. But the possession of Egypt, which Buonaparte must have insisted on, were it only for his own reputation, was likely to be an insuperable difficulty. The conjuncture also appeared to the English ministers propitious for carrying on the war. Italy had been recovered, and the Austrian army, to the number of 140,000, were menacing Savoy, and mustering on the Rhine. Buonaparte, in the check received before Acre, had been found not absolutely invincible. The exploits of Suwarrow over the French were recent, and had been decisive. The state of the interior of France was well known; and it was conceived, that though this successful general had climbed into the seat of supreme power which he found unoccupied, yet that two strong parties, of which the Royalists objected to his person, the Republicans to his form of government, could not fail, the one or other, to deprive him of his influence.

The treaty was finally broken off, on the score that there was great reason to doubt Buonaparte's sincerity; and, supposing that were granted, there was at least equal room to doubt the stability of a power so hastily acknowledged, and seeming to contain in itself the principles of decay. There may be a difference of opinion in regard to Buo-

naparte's sincerity in the negotiation, but there can be none as to the reality of his joy at its being defeated. The voice which summoned him to war was that which sounded sweetest in his ears, since it was always followed by exertion and by victory. He had been personally offended, too, by the allusion to the legitimate rights of the Bourbons, and indulged his resentment by pasquinades in the Moniteur. A supposed letter from the last descendant of the Stuart family appeared there, congratulating the King of Britain on his acceding to the doctrine of legitimacy, and summoning him to make good his principles, by an abdication of his crown in favour of the lineal heir.[1]

The external situation of France had, as we before remarked, been considerably improved by the consequences of the battle of Zurich, and the victories of Moreau. But the Republic derived yet greater advantages from the breach between the Emperors of Austria and Russia. Paul, naturally of an uncertain temper, and offended by the management of the last campaign, in which Korsakow had been defeated, and Suwarrow checked, in consequence of their being unsupported by the Austrian army, had withdrawn his troops, so distinguished for their own bravery as well as for the talents of their leader, from the seat of war. But the Austrians, possessing a firmness of character undismayed by defeat, and encouraged by the late

[1] [See Moniteur, 23 Pluviose, 10th February 1800; and Thibaudeau, t. i. p. 194.]

success of their arms under the veteran Melas, had made such gigantic exertions as to counterbalance the loss of their Russian confederates.[1]

Their principal force was in Italy, and it was on the Italian frontier that they meditated a grand effort, by which, supported by the British fleet, they proposed to reduce Genoa, and penetrate across the Var into Provence, where existed a strong body of Royalists ready to take arms, under the command of General Willot, an emigrant officer. It was said the celebrated Pichegru, who, escaped from Guiana, had taken refuge in England, was also with his army, and was proposed as a chief leader of the expected insurrection.

To execute this plan, Melas was placed at the head of an army of 140,000 men. This army was quartered for the winter in the plains of Piedmont, and waited but the approach of spring to commence operations.

Opposed to them, and occupying the country betwixt Genoa and the Var, lay a French army of 40,000 men; the relics of those who had been repeatedly defeated in Italy by Suwarrow. They were quartered in a poor country, and the English squadron, which blockaded the coast, was vigilant in preventing any supplies from being sent to them. Distress was therefore considerable, and the troops were in proportion dispirited and disorganized. Whole corps abandoned their position, contrary to orders; and with drums beating, and colours flying, returned into France. A proclamation from

[1] [Thibaudeau, t. i. p. 182; Jomini, t. xiii. p. 16—24.]

Napoleon was almost alone sufficient to remedy these disorders. He called on the soldiers, and particularly those corps who had formerly distinguished themselves under his command in his Italian campaigns, to remember the confidence he had once placed in them.[1] The scattered troops returned to their duty, as war-horses when dispersed are said to rally and form ranks at the mere sound of the trumpet. Massena, an officer eminent for his acquaintance with the mode of carrying on war in a mountainous country, full of passes and strong positions, was intrusted with the command of the Italian army, which Buonaparte[2] resolved to support in person with the army of reserve.

The French army upon the Rhine possessed as

[1] [These disorders gave rise to many general orders from Napoleon; in one of them he said—"The first quality of a soldier, is patient endurance of fatigue and privation; valour is but a secondary virtue. Several corps have quitted their positions; they have been deaf to the voice of their officers. Are, then, the heroes of Castiglione, of Rivoli, of Neumark no more? *They* would rather have perished than have deserted their colours. Soldiers, do you complain that your rations have not been regularly distributed? What would you have done, if, like the fourth and twenty-second light demi-brigades, you had found yourselves in the midst of the desert, without bread or water, subsisting on horses and camels? *Victory will give us bread*, said they; and you—you desert your colours! Soldiers of Italy, a new general commands you; he was always in the foremost ranks, in the moments of your brightest glory; place your confidence in him; he will bring back victory to your colours."—GOURGAUD, t. i. p. 160.]

[2] [In a proclamation issued to the armies, he said—"Soldiers! it is no longer the frontiers that you are called on to defend, the countries of your enemies are to be invaded. At a fit season I will be in the midst of you, and Europe shall be made to remember that you belong to a valiant race."—GOURGAUD, t. i. p. 162.]

great a superiority over the Austrians, as Melas, on the Italian frontier, enjoyed over Massena. Moreau was placed in the command of a large army, augmented by a strong detachment from that of General Brune, now no longer necessary for the protection of Holland, and by the army of Helvetia, which, after the defeat of Korsakow, was not farther required for the defence of Switzerland. In bestowing this great charge on Moreau, the first consul showed himself superior to the jealousy which might have dissuaded meaner minds from intrusting a rival, whose military skill was often compared with his own, with such an opportunity of distinguishing himself.[1] But Buonaparte, in this and other cases, preferred the employing and profiting by the public service of men of talents, and especially men of military eminence, to any risk which he could run from their rivalry. He had the just confidence in his own powers, never to doubt his supremacy, and trusted to the influence of discipline, and the love of their profession, which induces generals to accept of command even under the administrations of which they disapprove. In this manner he rendered dependant upon himself even those officers, who, averse to the consular form of government, inclined to republican principles. Such were Massena, Brune, Jourdan, Lecourbe, and Championnet. He took care at the same time, by changing the commands intrusted to them, to break off all combinations or

[1] [Jomini, t. xiii. p. 35, 43; Thibaudeau, t. i. p. 182—6; Gourgaud, t. i. p. 163.]

connexions which they might have formed for a new alteration of the government.

General Moreau was much superior in numbers to Kray, the Austrian who commanded on the Rhine, and received orders to resume the offensive. He was cautious in his tactics, though a most excellent officer, and was startled at the plan sent him by Buonaparte, which directed him to cross the Rhine at Schaffhausen, and, marching on Ulm with his whole force, place himself in the rear of the greater part of the Austrian army. This was one of those schemes, fraught with great victories or great reverses, which Buonaparte delighted to form, and which often requiring much sacrifice of men, occasioned his being called by those who loved him not, a general at the rate of ten thousand men per day. Such enterprises resemble desperate passes in fencing, and must be executed with the same decisive resolution with which they are formed. Few even of Buonaparte's best generals could be trusted with the execution of his master-strokes in tactics, unless under his own immediate superintendence.

Moreau invaded Germany on a more modified plan; and a series of marches, counter-marches, and desperate battles ensued, in which General Kray, admirably supported by the Archduke Ferdinand, made a gallant defence against superior numbers.

In Buonaparte's account of this campaign,[1] he blames Moreau for hesitation and timidity in fol-

[1] [Gourgaud, t. i. p. 167.]

lowing up the advantages which he obtained.[1] Yet to a less severe, perhaps to a more impartial judge, Moreau's success might seem satisfactory, since, crossing the Rhine in the end of April, he had his head-quarters at Augsburg upon the 15th July, ready either to cooperate with the Italian army, or to march into the heart of the Austrian territory. Nor can it be denied that, during this whole campaign, Moreau kept in view, as a principal object, the protecting the operations of Buonaparte in Italy, and saving that chief, in his dauntless and desperate invasion of the Milanese territory, from the danger which might have ensued, had Kray found an opportunity of opening a communication with the Austrian army in Italy, and despatching troops to its support.

It may be remarked of these two great generals, that, as enterprise was the characteristic of Buonaparte's movements, prudence was that of Moreau's; and it is not unusual, even when there occur no other motives for rivals undervaluing each other, that the enterprising judge the prudent to be timid, and the prudent account the enterprising rash.

It is not ours to decide upon professional questions between men of such superior talents; and, having barely alluded to the topic, we leave Moreau at Augsburg, where he finally concluded an armistice[2] with General Kray, 15th July. as a consequence of that which Buonaparte had

[1] ["Moreau did not know the value of *time*; he always passed the day after a battle in total indecision."—NAPOLEON, *Gourgaud*, t. i. p. 174.]

[2] [For the terms of the armistice, see Gourgaud, t. i. p. 185.]

established in Italy after the battle of Marengo. Thus much, therefore, is due in justice to Moreau. His campaign was, on the whole, crowned in its results with distinguished success.[1] And when it is considered, that he was to manœuvre both with reference to the safety of the first consul's operations and his own, it may be doubted whether Buonaparte would, at the time, have thanked him for venturing on more hazardous measures; the result of which might have been either to obtain more brilliant victory for the army of the Rhine, in the event of success, or, should they have miscarried, to have ensured the ruin of the army of Italy, as well as of that commanded by Moreau himself. There must have been a wide difference between the part which Moreau ought to act as subsidiary to Buonaparte, (to whom it will presently be seen he despatched a reinforcement of from fifteen to twenty thousand men,) and that which Buonaparte, in obedience to his daring genius, might have himself thought it right to perform. The commander-in-chief may venture much on his own responsibility, which must not be hazarded by a subordinate general, whose motions ought to be regulated upon the general plan of the campaign.

We return to the operations of Napoleon during one of the most important campaigns of his life, and in which he added—if that were still possible—to the high military reputation he had acquired.

In committing the charge of the campaign upon the Rhine to Moreau, the first consul had re-

[1] [Jomini, t. xiii. p. 355—369; Thibaudeau, t. i. p. 342.]

served for himself the task of bringing back victory to the French standards, on the fields in which he won his earliest laurels. His plan of victory again included a passage of the Alps, as boldly and unexpectedly as in 1795, but in a different direction That earlier period had this resemblance to the present, that, on both occasions, the Austrians menaced Genoa; but in 1800, it was only from the Italian frontier and the Col di Tende, whereas, in 1795, the enemy were in possession of the mountains of Savoy, above Genoa. Switzerland, too, formerly neutral, and allowing no passage for armies, was now as open to the march of French troops as any of their own provinces, and of this Buonaparte determined to avail himself. He was aware of the Austrian plan of taking Genoa and entering Provence; and he formed the daring resolution to put himself at the head of the army of reserve, surmount the line of the Alps, even where they are most difficult of access, and, descending into Italy, place himself in the rear of the Austrian army, interrupt their communications, carry off their magazines, parks, and hospitals, coop them up betwixt his own army and that of Massena, which was in their front, and compel them to battle, in a situation where defeat must be destruction. But to accomplish this daring movement, it was necessary to march a whole army over the highest chain of mountains in Europe, by roads which afford but a dangerous passage to the solitary traveller, and through passes where one man can do more to defend, than ten to force their way. Artillery was to be carried through sheep-paths

and over precipices impracticable to wheel-carriages; ammunition and baggage were to be transported at the same disadvantages; and provisions were to be conveyed through a country poor in itself, and inhabited by a nation which had every cause to be hostile to France, and might therefore be expected prompt to avail themselves of any opportunity which should occur of revenging themselves for her late aggressions.[1]

The strictest secrecy was necessary, to procure even the opportunity of attempting this audacious plan of operations; and to ensure this secrecy, Buonaparte had recourse to a singular mode of deceiving the enemy. It was made as public as possible, by orders, decrees, proclamations, and the like, that the first consul was to place himself at the head of the army of reserve, and that it was to assemble at Dijon. Accordingly, a numerous staff was sent, and much apparent bustle took place in assembling there six or seven thousand men with great pomp and fracas. These, as the spies of Austria truly reported to their employers, were either conscripts, or veterans unfit for service; and caricatures were published of the first consul reviewing troops composed of children and disabled soldiers, which was ironically termed his army of reserve.[2] When an army so composed was reviewed by the first consul himself with great ceremony, it impressed a general

[1] [Gourgaud, t. i. p. 261.]

[2] ["Europe was full of caricatures. One of them represented a boy of twelve years of age, and an invalid with a wooden leg; underneath which was written 'Buonaparte's army of reserve.'"—Napoleon, *Gourgaud*, t. i. p. 262.]

belief that Buonaparte was only endeavouring, by making a show of force, to divert the Austrians from their design upon Genoa, and thus his real purpose was effectually concealed. Bulletins, too, were privately circulated by the agents of police, as if scattered by the Royalists, in which specious arguments were used to prove that the French army of reserve neither did, nor could exist—and these also were designed to withdraw attention from the various points on which it was at the very moment collecting.[1]

The pacification of the west of France had placed many good troops at Buonaparte's disposal, which had previously been engaged against the Chouans; the quiet state of Paris permitted several regiments to be detached from the capital. New levies were made with the utmost celerity; and the divisions of the army of reserve were organized separately, and at different places of rendezvous, but ready to form a junction when they should receive the signal for commencing operations.

[1] [Gourgaud, t. i. p. 263.]

CHAPTER XIX.

The Chief Consul leaves Paris on 6th May, 1800—Has an Interview with Necker at Geneva on 8th—Arrives at Lausanne on the 13th—Various Corps put in motion to cross the Alps.—Napoleon, at the head of the Main Army, marches on the 15th, and ascends Mont St Bernard.—On the 16th, the Vanguard takes possession of Aosta.—Fortress and Town of Bard threaten to baffle the whole plan—The Town is captured—and Napoleon contrives to send his Artillery through it, under the fire of the Fort, his Infantry and Cavalry passing over the Albaredo.—Lannes carries Ivrea.—Recapitulation.—Operations of the Austrian General Melas.—At the commencement of the Campaign, Melas advances towards Genoa—Actions betwixt him and Massena.—In March, Lord Keith blockades Genoa.—Melas compelled to retreat.—Enters Nice—Recalled from thence by the news of Napoleon's having crossed Mont St Bernard—Genoa surrenders—Buonaparte enters Milan—Battle of Montebello—The Chief Consul is joined by Dessaix—Battle of Marengo on the 14th.—Death of Dessaix—Capitulation on the 15th, by which Genoa, &c., are yielded.—Napoleon returns to Paris on the 2d July.

On the 6th of May 1800, seeking to renew the fortunes of France, now united with his own, the chief consul left Paris, and, having reviewed the pretended army of reserve at Dijon on the 7th, arrived on the 8th at Geneva. Here he had an

interview with the celebrated financier Necker. There was always doomed to be some misunderstanding between Buonaparte and this accomplished family. Madame de Staël believed that Buonaparte spoke to her father with confidence on his future prospects; while the first consul affirms that Necker seemed to expect to be intrusted with the management of the French finances, and that they parted with mutual indifference, if not dislike.[1] Napoleon had a more interesting conversation with General Marescot, despatched to survey Mont Bernard, and who had, with great difficulty, ascended as far as the convent of the Chartreux. "Is the route practicable?" said Buonaparte.—"It is barely possible to pass," replied the engineer.—"Let us set forward then," said Napoleon, and the extraordinary march was commenced.[2]

On the 13th, arriving at Lausanne, Buonaparte joined the van of his real army of reserve, which consisted of six effective regiments, commanded by the celebrated Lannes. These corps, together with the rest of the troops intended for the expedition, had been assembled from their several positions by forced marches. Carnot, the minister at war, attended the first consul at Lausanne, to

[1] ["The famous Necker solicited the honour of being presented to the first consul. In all he said he suffered it to appear, that he wished and hoped to have the management of the finances. The first consul was but indifferently pleased with him." —Napoleon, *Gourgaud*, t. i. p. 264. "During this conversation, the first consul made a rather agreeable impression on my father, by the confidential way in which he spoke to him of his future plans."—Mad. de Staël, t. ii. p. 281.]

[2] [Thibaudeau, t. vi. p. 260; Jomini, t. xiii. p. 176.]

report to him that 15,000, or from that to the number of 20,000 men, detached from Moreau's army, were in the act of descending on Italy by St Gothard, in order to form the left wing of his army.[1] The whole army, in its various divisions, was now united under the command of Berthier nominally, as general-in-chief, though in reality under that of the first consul himself. This was in compliance with a regulation of the Constitution, which rendered it inconsistent for the first consul to command in person.[2] It was a form which Buonaparte at present evaded, and afterwards laid aside; thinking truly, that the name, as well as office of generalissimo, was most fittingly vested in his own person, since, though it might not be the loftiest of his titles, it was that which best expressed his power. The army might amount to 60,000 men, but one-third of the number were conscripts.

During the interval between the 15th and 18th of May, all the columns of the French army were put into motion to cross the Alps. Thurreau, at the head of 5000 men, directed his march by Mount Cenis, on Exilles and Susa. A similar division, commanded by Chabran, took the route of the Little St Bernard. Buonaparte himself, on the 15th, at the head of the main body of his army, consisting of 30,000 men and upwards, marched from Lausanne to the little village called St Pierre, at which point there ended every thing

[1] [Jomini, t. xiii. p. 177.]
[2] [Gourgaud, t. i. p. 260.]

resembling a practicable road. An immense, and apparently inaccessible mountain, reared its head among general desolation and eternal frost; while precipices, glaciers, ravines, and a boundless extent of faithless snows, which the slightest concussion of the air converts into avalanches capable of burying armies in their descent, appeared to forbid access to all living things but the chamois, and his scarce less wild pursuer. Yet foot by foot, and man by man, did the French soldiers proceed to ascend this formidable barrier, which nature had erected in vain to limit human ambition. The view of the valley, emphatically called "of Desolation," where nothing is to be seen but snow and sky, had no terrors for the first consul and his army. They advanced up paths hitherto only practised by hunters, or here and there a hardy pedestrian, the infantry loaded with their arms, and in full military equipment, the cavalry leading their horses. The musical bands played from time to time at the head of the regiments, and, in places of unusual difficulty, the drums beat a charge, as if to encourage the soldiers to encounter the opposition of Nature herself. The artillery, without which they could not have done service, were deposited in trunks of trees hollowed out for the purpose. Each was dragged by a hundred men, and the troops, making it a point of honour to bring forward their guns, accomplished this severe duty, not with cheerfulness only, but with enthusiasm. The carriages were taken to pieces, and harnessed on the backs of mules, or committed to the soldiers, who relieved each other in the task of bearing them

with levers; and the ammunition was transported in the same manner. While one half of the soldiers were thus engaged, the others were obliged to carry the muskets, cartridge-boxes, knapsacks, and provisions of their comrades, as well as their own. Each man, so loaded, was calculated to carry from sixty to seventy pounds weight, up icy precipices, where a man totally without encumbrance could ascend but slowly. Probably no troops save the French could have endured the fatigue of such a march; and no other general than Buonaparte would have ventured to require it at their hand.[1]

He set out a considerable time after the march had begun, alone, excepting his guide. He is described by the Swiss peasant who attended him in that capacity, as wearing his usual simple dress, a grey surtout, and three-cornered hat. He travelled in silence, save a few short and hasty questions about the country, addressed to his guide from time to time. When these were answered, he relapsed into silence. There was a gloom on his brow, corresponding with the weather, which was wet and dismal. His countenance had acquired, during his Eastern campaigns, a swart complexion, which added to his natural severe gravity, and the Swiss peasant who guided him felt fear as he looked on him.[2] Occasionally his route was stopt by some

[1] [Jomini, t. xiii. p. 184; Thibaudeau, t. vi. p. 264; Gourgaud, t. i. p. 267; Dumas, t. ii.]

[2] Apparently the guide who conducted him from the Grand Chartreux found the chief consul in better humour, for Buonaparte says, he conversed freely with him, and expressed some

temporary obstacle occasioned by a halt in the artillery or baggage; his commands on such occasions were peremptorily given, and instantly obeyed, his very look seeming enough to silence all objection, and remove every difficulty.

The army now arrived at that singular convent, where, with courage equal to their own, but flowing from a much higher source, the monks of St Bernard have fixed their dwellings among the everlasting snows, that they may afford succour and hospitality to the forlorn travellers in those dreadful wastes. Hitherto the soldiers had had no refreshment, save when they dipt a morsel of biscuit amongst the snow. The good fathers of the convent, who possess considerable magazines of provisions, distributed bread and cheese, and a cup of wine, to each soldier as he passed, which was more acceptable in their situation, than, according to one who shared their fatigues,[1] would have been the gold of Mexico.[2]

wishes with respect to a little farm, &c. which he was able to gratify. [Gourgaud, t. i. p. 268.] To his guide from Martigny to St Pierre, he was also liberal; but the only specimen of his conversation which the latter remembered, was, when shaking the rain water from his hat, he exclaimed. "There! see what I have done in your mountains—spoiled my new hat. Pshaw, I will find another on the other side." For these and other interesting anecdotes, see Mr Tennant's "Tour through the Netherlands, Holland, Germany, Switzerland," &c.

[1] Joseph Petit, Fourrier des grenadiers de la garde, author of Marengo, ou Campagne d'Italie, 8vo, an. ix.

[2] ["Never did greater regularity preside at a distribution. Each one appreciated the foresight of which he had been the object. Not a soldier left the ranks; not a straggler was to be seen. The first consul expressed his gratitude to the community, and ordered 100,000 francs to be delivered to the monas-

The descent on the other side of mont St Bernard was as difficult to the infantry as the ascent had been, and still more so to the cavalry. It was, however, accomplished without any material loss, and the army took up their quarters for the night, after having marched fourteen French leagues. The next morning, 16th May, the vanguard took possession of Aosta, a village of Piedmont, from which extends the valley of the same name, watered by the river Dorea, a country pleasant in itself, but rendered delightful by its contrast with the horrors which had been left behind.

Thus was achieved the celebrated passage of mont St Bernard, on the particulars of which we have dwelt the more willingly, because, although a military operation of importance, they do not involve the unwearied details of human slaughter, to which our narrative must now return.

Where the opposition of Nature to Napoleon's march appeared to cease, that of man commenced. A body of Austrians at Chatillon were overpowered and defeated by Lannes; but the strong fortress of Bard offered more serious opposition. This little citadel is situated upon an almost perpendicular rock, rising out of the river Dorea, at a place where the valley of Aosta is rendered so very narrow by the approach of two mountains to each other, that the fort and walled town of Bard entirely close up the entrance. This formidable obstacle threatened for the moment to shut up the French in a valley,

tery, in remembrance of the service it had rendered him." —*Memoirs of* SAVARY, vol. i. p. 165.]

where their means of subsistence must have been speedily exhausted. General Lannes made a desperate effort to carry the fort by assault; but the advanced guard of the attacking party were destroyed by stones, musketry, and hand-grenades, and the attempt was relinquished.

Buonaparte in person went now to reconnoitre, and for that purpose ascended a huge rock called Albaredo, being a precipice on the side of one of the mountains which form the pass, from the summit of which he could look down into the town, and into the fortress. He detected a possibility of taking the town by storm, though he judged the fort was too strong to be obtained by a coup-de-main. The town was accordingly carried by escalade; but the French who obtained possession of it had little cover from the artillery of the fort, which fired furiously on the houses where they endeavoured to shelter themselves, and which the Austrians might have entirely demolished but for respect to the inhabitants. Mean while, Buonaparte availed himself of the diversion to convey a great part of his army in single files, horse as well as foot, by a precarious path formed by the pioneers over the tremendous Albaredo, and so down on the other side, in this manner avoiding the cannon of fort Bard.[1]

Still a most important difficulty remained. It was impossible, at least without great loss of time,

[1] ["The infantry and cavalry passed one by one, up the path of the mountain, which the first consul had climbed, and where no horse had ever stepped; it was a way known to none but goatherds."—GOURGAUD, t. i. p. 271.]

to carry the French artillery over the Alberado, while, without artillery, it was impossible to move against the Austrians, and every hope of the campaign must be given up.

In the mean time, the astonished commandant of the fort, to whom the apparition of this large army was like enchantment, despatched messenger after messenger to warn Melas, then opposed to Suchet, on the Var, that a French army of 30,000 men and upwards, descending from the Alps by ways hitherto deemed impracticable for military movements, had occupied the valley of Aosta, and were endeavouring to debouche by a path of steps cut in the Albaredo. But he pledged himself to his commander-in-chief, that not a single gun or ammunition-waggon should pass through the town; and as it was impossible to drag these along the Albaredo, he concluded, that, being without his artillery, Buonaparte would not venture to descend into the plain.

But, while the commandant of Bard thus argued, he was mistaken in his premises, though right in his inference. The artillery of the French army had already passed through the town of Bard, and under the guns of the citadel, without being discovered to have done so. This important manœuvre was accomplished by previously laying the street with dung and earth, over which the pieces of cannon, concealed under straw and branches of trees, were dragged by men in profound silence. The garrison, though they did not suspect what was going on, fired nevertheless upon some vague suspicion, and killed and wounded artillerymen in

sufficient number to show it would have been impossible to pass under a severe and sustained discharge from the ramparts.[1] It seems singular that the commandant had kept up no intelligence with the town. Any signal previously agreed upon—a light shown in a window, for example—would have detected such a stratagem.

A division of conscripts, under General Chabran, was left to reduce fort Bard, which continued to hold out, until, at the expense of great labour, batteries were established on the top of the Albaredo, by which it was commanded, and a heavy gun placed on the steeple of the church, when it was compelled to surrender. It is not fruitless to observe, that the resistance of this small place, which had been overlooked or undervalüed in the plan of the campaign, was very near rendering the march over mont St Bernard worse than useless, and might have occasioned the destruction of all the chief consul's army.[2] So little are even the most distinguished generals able to calculate with certainty upon all the chances of war.

From this dangerous pass, the vanguard of Buonaparte now advanced down the valley to Ivrea, where Lannes carried the town by storm, and a second time combated and defeated the Austrian division which had defended it, when reinforced

[1] [Gourgaud, t. i. p. 271; Jomini, t. xiii. p. 185.]

[2] [Supposing it had proved quite impossible to pass the artillery through the town of Bard, would the French army have repassed the Great Saint Bernard? No: it would have debouched as far as Ivrea—a movement which would necessarily have recalled Melas from Nice."—NAPOLEON, *Gourgaud*, t. i. p. 272.]

and situated on a strong position at Romano. The roads to Turin and Milan were now alike open to Buonaparte—he had only to decide which he chose to take. Mean while he made a halt of four days at Ivrea, to refresh the troops after their fatigues, and to prepare them for future enterprises.[1]

During this space, the other columns of his army were advancing to form a junction with that of the main body, according to the plan of the campaign. Thurreau, who had passed the Alps by the route of mont Cenis, had taken the forts of Susa and La Brunette. On the other hand, the large corps detached by Carnot from Moreau's army, were advancing by mount St Gothard and the Simplon, to support the operations of the first consul, of whose army they were to form the left wing. But ere we prosecute the account of Buonaparte's movements during this momentous campaign, it is necessary to trace the previous operations of Melas, and the situation in which that Austrian general now found himself.

It has been already stated, that, at the commencement of this campaign of 1800, the Austrians entertained the highest hopes that their Italian army, having taken Genoa and Nice, might penetrate into Provence by crossing the frontier at the Var, and perhaps make themselves masters of Toulon and Marseilles. To realize these hopes, Melas, having left in Piedmont a sufficient force, as he deemed it, to guard the passes of the Alps, had advanced towards Genoa, which Massena prepared

[1] [Jomini, t. xiii. p. 188; Gourgaud, t. i. p. 274.]

to cover and defend. A number of severe and desperate actions took place between these generals; but being a war of posts, and fought in a very mountainous and difficult country, it was impossible by any skill of combination to ensure on any occasion more than partial success, since co-operation of movements upon a great and extensive scale was prohibited by the character of the ground. There was much hard fighting, however, in which, though more of the Austrians were slain, yet the loss was most severely felt by the French, whose numbers were inferior.

In the month of March, the English fleet, under Lord Keith, appeared, as we have already hinted, before Genoa, and commenced a blockade, which strictly prevented access to the port to all vessels loaded with provisions, or other necessaries, for the besieged city.

On the 6th of April, Melas, by a grand movement, took Vado, and intersected the French line. Suchet, who commanded Massena's left wing, was cut off from that general, and thrown back on France. Marches, manœuvres, and bloody combats, followed each other in close detail; but the French, though obtaining advantages in several of the actions, could never succeed in restoring the communication between Suchet and Massena. Finally, while the former retreated towards France, and took up a line on Borghetta, the latter was compelled to convert his army into a garrison, and to shut himself up in Genoa, or at least encamp in a position close under its ramparts. Melas, in the mean time, approached the city more closely, when

Massena, in a desperate sally, drove the Austrians from their advanced posts, forced them to retreat, made prisoners twelve hundred men, and carried off some warlike trophies. But the French were exhausted by their very success, and obliged to remain within, or under the walls of the city, where the approach of famine began to be felt. Men were already compelled to have recourse to the flesh of horses, dogs, and other unclean animals, and it was seen that the place must soon be necessarily obliged to surrender.[1]

Satisfied with the approaching fall of Genoa, Melas, in the beginning of May, left the prosecution of the blockade to General Ott, and moved himself against Suchet, whom he drove before him in disorder, and who, overborne by numbers, retreated towards the French frontier. On the 11th of May, Melas entered Nice, and thus commenced the purposed invasion of the French frontier. On the 14th, the Austrians again attacked Suchet, who now had concentrated his forces upon the Var, in hopes to protect the French territory. Finding this a more difficult task than he expected, Melas next prepared to pass the Var higher up, and thus to turn the position occupied by Suchet.

But on the 21st, the Austrian veteran received intelligence which put a stop to all his operations against Suchet, and recalled him to Italy to face a much more formidable antagonist. Tidings arrived that the first consul of France had crossed St Bernard, had extricated himself from the valley of

[1] [Gourgaud, t. i. p. 202; Thibaudeau t. vi. p. 286.]

Aosta, and was threatening to overrun Piedmont and the Milanese territory. These tidings were as unexpected as embarrassing. The artillery, the equipage, the provisions of Melas, together with his communications with Italy, were all at the mercy of this unexpected invader, who, though his force was not accurately known, must have brought with him an army more than adequate to destroy the troops left to guard the frontier; who, besides, were necessarily divided, and exposed to be beaten in detail. Yet, if Melas marched back into Piedmont against Buonaparte, he must abandon the attack upon Suchet, and raise the blockade of Genoa, when that important city was just on the eve of surrender.

Persevering in the belief that the French army of reserve could not exceed twenty thousand men, or thereabouts, in number, and supposing that the principal, if not the sole object of the first consul's daring irruption, was to raise the siege of Genoa, and disconcert the invasion of Provence, Melas resolved on marching himself against Buonaparte with such forces, as, united with those he had left in Italy, might be of power to face the French army, according to his computation of its probable strength. At the same time, he determined to leave before Genoa an army sufficient to ensure its fall, and a corps of observation in front of Suchet, by means of which he might easily resume his plans against that general, so soon as the chief consul should be defeated or driven back.

The corps of observation already mentioned was under the command of General Ellsnitz, strongly

posted upon the Roye, and secured by intrenchments. It served at once to watch Suchet, and to cover the siege of Genoa from any attempts to relieve the city, which might be made in the direction of France.[1]

Massena, in the mean time, no sooner perceived the besieging army weakened by the departure of Melas, than he conceived the daring plan of a general attack on the forces of Ott, who was left to carry on the siege. The attempt was unfortunate. The French were defeated, and Soult, who had joined Massena, was wounded and made prisoner. Yet Genoa still held out. An officer had found his way into the place, brought intelligence of Buonaparte's descent upon Piedmont, and inspired all with a new spirit of resistance. Still, however, extreme want prevailed in the city, and the hope of delivery seemed distant. The soldiers received little food, the inhabitants less, the Austrian prisoners, of whom they had about 8000 in Genoa, almost none.[2] At length, the situation of things seemed desperate. The numerous population of Genoa rose in the extremity of their despair, and called for a surrender. Buonaparte, they said, was not wont to march so slowly; he would have been before the walls sooner, if he was to appear at all; he must have been defeated or driven back by the

[1] [Jomini, t. xiii. p. 198.]

[2] Napoleon says, that Massena proposed to General Ott to send in provisions to feed these unhappy men, pledging his honour they should be used to no other purpose, and that General Ott was displeased with Lord Keith for declining to comply with a proposal so utterly unknown in the usages of war. [Gourgaud, t. i. p. 227.] It is difficult to give credit to this story.

superior force of Melas. They demanded the surrender of the place, therefore, which Massena no longer found himself in a condition to oppose.[1]

Yet could that brave general have suspended this measure a few hours longer, he would have been spared the necessity of making it at all. General Ott had just received commands from Melas to raise the blockade with all despatch, and to fall back upon the Po, in order to withstand Buonaparte, who, in unexpected strength, was marching upon Milan. The Austrian staff-officer, who brought the order, had just received his audience of General Ott, when General Andrieux, presenting himself on the part of Massena, announced the French general's desire to surrender the place, if his troops were permitted to march out with their arms. There was no time to debate upon terms; and those granted to Massena by Melas were so unusually favourable, that perhaps they should have made him aware of the precarious state of the besieging army.[2] He was permitted to evacuate Genoa without laying down his arms, and the convention was signed 5th June, 1800. Mean time, at this agitating and interesting period, events of still greater importance than those which concerned the fate of the once princely Genoa, were taking place with frightful rapidity.

[1] [Jomini, t. xiii. 231; Gourgaud, t. i. p. 228. See also Thiébaut, Journal Historique du Siège de Gênes.]

[2] ["Massena ought to have broken off, upon the certainty that within four or five days the blockade would be raised; in fact, it would have been raised twelve hours after."—NAPOLEON, *Gourgaud*, t. i. p. 241.]

Melas, with about one half of his army, had retired from his operations in the Genoese territory, and retreated on Turin by the way of Coni, where he fixed his headquarters, expecting that Buonaparte would either advance to possess himself of the capital of Piedmont, or that he would make an effort to relieve Genoa. In the first instance, Melas deemed himself strong enough to receive the first consul; in the second, to pursue him; and in either, to assemble such numerous forces as might harrass and embarrass either his advance or his retreat. But Buonaparte's plan of the campaign was different from what Melas had anticipated. He had formed the resolution to pass the rivers Sesia and Ticino, and thus leaving Turin and Melas behind him, to push straight for Milan, and form a junction with the division of about 20,000 men, detached from the right wing of Moreau's army, which, commanded by Moncey, were on their road to join him, having crossed the mountains by the route of St Gothard. It was necessary, however, to disguise his purpose from the sagacious veteran.

With this view, ere Buonaparte broke up from Ivrea, Lannes, who had commanded his vanguard with so much gallantry, victorious at Romano, seemed about to improve his advantage. He had marched on Chiavaso, and seizing on a number of boats and small vessels, appeared desirous to construct a bridge over the Po at that place. This attracted the attention of Melas. It might be equally a preliminary to an attack on Turin, or a movement towards Genoa. But as the Austrian

general was at the same time alarmed by the descent of General Thurreau's division from mount Cenis, and their capture of Susa and La Brunneta, Turin seemed ascertained to be the object of the French; and Melas acted on this idea. He sent a strong force to oppose the establishment of the bridge, and while his attention was thus occupied, Buonaparte was left to take the road to Milan unmolested. Vercelli was occupied by the cavalry under Murat, and the Sesia was crossed without obstacle. The Ticino, a broad and rapid river, offered more serious opposition; but the French found four or five small boats, in which they pushed across an advanced party under General Gerard. The Austrians, who opposed the passage, were in a great measure cavalry, who could not act on account of the woody and impracticable character of the bank of the river. The passage was accomplished; and, upon the 2d of June, Buonaparte entered Milan,[1] where he was received with acclamations by a numerous class of citizens, who looked for the re-establishment of the Cisalpine Republic. The Austrians were totally unprepared for this movement. Pavia fell into the hands of the French; Lodi and Cremona were occupied, and Pizzighitone was invested.[2]

[1] [Jomini, t. xiii. p. 210; Gourgaud, t. i. p. 279.]

[2] ["One of the first persons who presented themselves to the eyes of the Milanese, whom enthusiasm and curiosity led by all the by-roads to meet the French army, was General Buonaparte. The people of Milan would not believe it: it had been reported that he had died in the Red Sea, and that it was one of his brothers who now commanded the French army."—NAPOLEON, *Gourgaud*, t. i. p. 280.]

Mean while, Buonaparte, fixing his residence in the ducal palace of Milan, employed himself in receiving the deputations of various public bodies, and in reorganizing the Cisalpine government, while he waited impatiently to be joined by Moncey and his division, from mount Saint Gothard. They arrived at length, but marching more slowly than accorded with the fiery promptitude of the first consul, who was impatient to relieve the blockade of Genoa, which place he concluded still held out. He now issued a proclamation to his troops, in which he described, as the result of the efforts he expected from them, "Cloudless glory and solid peace."[1] On the 9th of June his armies were again in motion.

Melas, an excellent officer, had at the same time some of the slowness imputed to his countrymen, or of the irresolution incident to the advanced age of eighty years,—for so old was the opponent of Buonaparte, then in the very prime of human life,—or, as others suspect, it may have been orders from Vienna which detained the Austrian general so long at Turin, where he lay in a great measure inactive. It is true, that on receiving notice of Buonaparte's march on Milan, he instantly despatched orders to General Ott, as we have already stated, to raise the siege of Genoa, and join him with all possible speed; but it seemed, that in the mean time, he might have disquieted Buonaparte's lines of communication, by acting upon the river Dorea, attacking Ivrea, in which the French had

[1] [Gourgaud, t. i. p. 282.]

left much baggage and artillery, and relieving the fort of Bard. Accordingly, he made an attempt of this kind, by detaching 6000 men to Chiavaso, who were successful in delivering some Austrian prisoners at that place; but Ivrea proved strong enough to resist them, and the French retaining possession of that place, the Austrians could not occupy the valley of the Dorea, or relieve the besieged fortress of Bard.[1]

The situation of Melas now became critical. His communications with the left, or north bank of the Po, were entirely cut off, and by a line stretching from Fort Bard to Placentia, the French occupied the best and fairest share of the north of Italy, while he found himself confined to Piedmont. The Austrian army, besides, was divided into two parts, —one under Ott, which was still near Genoa, that had so lately surrendered to them,—one with Melas himself, which was at Turin. Neither were agreeably situated. That of Genoa was observed on its right by Suchet, whose army, reinforced with the garrison which, retaining their arms, evacuated that city under Massena, might soon be expected to renew the offensive. There was, therefore, the greatest risk, that Buonaparte, pushing a strong force across the Po, might attack and destroy either the division of Ott, or that of Melas himself, before they were able to form a junction. To prevent such a catastrophe, Ott received orders to march forward on the Ticino, while Melas, moving towards Alexandria, prepared to resume his communications with his lieutenant-general.

[1] [Gourgaud, t. i. p. 283.]

Buonaparte, on his part, was anxious to relieve Genoa; news of the fall of which had not reached him. With this view he resolved to force his passage over the Po, and move against the Austrians, who were found to occupy in strength the villages of Casteggio and Montebello. These troops proved to be the greater part of the very army which he expected to find before Genoa, and which was commanded by Ott, but which had moved westward, in conformity to the orders of Melas.

9th June. General Lannes, who led the vanguard of the French, as usual, was attacked early in the morning, by a superior force, which he had much difficulty in resisting. The nature of the ground gave advantage to the Austrian cavalry, and the French were barely able to support their charges. At length the division of Victor came up to support Lannes, and the victory became no longer doubtful, though the Austrians fought most obstinately. The fields being covered with tall crops of grain, and especially of rye, the different bodies were frequently hid until they found themselves at the bayonet's point, without having had any previous opportunity to estimate each other's force; a circumstance which led to much close fighting, and necessarily to much slaughter. At length the Austrians retreated, leaving the field of battle covered with their dead, and above 5000 prisoners in the hands of their enemies.[1]

[1] [Gourgaud, t. i. p. 287; Thibaudeau, t. vi. p. 300. At the battle of Montebello, which afterwards gave him his title, General Lannes added to his already high reputation. In describing the desperate conflict, "bones," he said, "crashed in my division, like hailstones against windows."]

General Ott rallied the remains of his army under the walls of Tortona. From the prisoners taken at the battle of Montebello, as this action was called, Buonaparte learned, for the first time, the surrender of Genoa, which apprised him that he was too late for the enterprise which he had meditated. He therefore halted his army for three days in the position of Stradella, unwilling to advance into the open plain of Marengo, and trusting that Melas would find himself compelled to give him battle in the position which he had chosen, as most unfavourable for the Austrian cavalry. He despatched messengers to Suchet, commanding him to cross the mountains by the Col di Cadibona, and march on the river Scrivia, which would place him in the rear of the Austrians.

Even during the very battle of Montebello, the chief consul was joined by Desaix, who had just arrived from Egypt. Landed at Frejus, after a hundred interruptions, that seemed as if intended to withhold him from the fate he was about to meet, he had received letters from Buonaparte, inviting him to come to him without delay. The tone of the letters expressed discontent and embarrassment. "He has gained all," said Desaix, who was much attached to Buonaparte, "and yet he is not happy." Immediately afterwards, on reading the account of his march over St Bernard he added, "He will leave us nothing to do." He immediately set out post to place himself under the command of his ancient general, and, as it eventually proved, to encounter an early death. They had an interesting conversation on the sub-

ject of Egypt, to which Buonaparte continued to cling, as to a matter in which his own fame was intimately and inseparately concerned. Desaix immediately received the command of the division hitherto under that of Boudet.[1]

In the mean while, the headquarters of Melas had been removed from Turin, and fixed at Alexandria for the space of two days; yet he did not, as Buonaparte had expected, attempt to move forward on the French position at Stradella, in order to force his way to Mantua; so that the first consul was obliged to advance towards Alexandria, apprehensive lest the Austrians should escape from him, and either, by a march to the left flank, move for the Ticino, cross that river, and, by seizing Milan, open a communication with Austria in that direction; or, by marching to the right, and falling back on Genoa, overwhelm Suchet, and take a position, the right of which might be covered by that city, while the sea was open for supplies and provisions, and their flank protected by the British squadron.

Either of these movements might have been attended with alarming consequences; and Napoleon, impatient lest his enemy should give him the slip, advanced his headquarters on the 12th to Voghera, and on the 13th to St Juliano, in the midst of the great plain of Marengo. As he still saw nothing of the enemy, the chief consul concluded that Melas had actually retreated from Alexandria, having, notwithstanding the tempta-

[1] [Gourgaud, t. i. p. 289.]

tion afforded by the level ground around him, preferred withdrawing, most probably to Genoa, to the hazard of a battle. He was still more confirmed in this belief, when, pushing forward as far as the village of Marengo, he found it occupied only by an Austrian rear-guard, which offered no persevering defence against the French, but retreated from the village without much opposition. The chief consul could no longer doubt that Melas had eluded him, by marching off by one of his flanks, and probably by his right. He gave orders to Desaix, whom he had intrusted with the command of the reserve, to march towards Rivolta with a view to observe the communications with Genoa; and in this manner the reserve was removed half a day's march from the rest of the army, which had like to have produced most sinister effects upon the event of the great battle that followed.

Contrary to what Buonaparte had anticipated, the Austrian general, finding the first consul in his front, and knowing that Suchet was in his rear, had adopted, with the consent of a council of war, the resolution of trying the fate of arms in a general battle. It was a bold, but not a rash resolution. The Austrians were more numerous than the French in infantry and artillery; much superior in cavalry, both in point of numbers and of discipline; and it has been already said, that the extensive plain of Marengo was favourable for the use of that description of force. Melas, therefore, on the evening of the 13th, concentrated his forces in front of Alexandria, divided by the river Bormida

from the purposed field of fight; and Napoleon, undeceived concerning the intentions of his enemy, made with all haste the necessary preparations to receive battle, and failed not to send orders to Desaix to return as speedily as possible and join the army. That general was so far advanced on his way towards Rivolta before these counter orders reached him, that his utmost haste only brought him back after the battle had lasted several hours.

Buonaparte's disposition was as follows:—The village of Marengo was occupied by the divisions of Gardanne and Chambarlhac. Victor, with other two divisions, and commanding the whole, was prepared to support them. He extended his left as far as Castel Ceriolo, a small village which lies almost parallel with Marengo. Behind this first line was placed a brigade of cavalry, under Kellermann, ready to protect the flanks of the line, or to debouche through the intervals, if opportunity served, and attack the enemy. About a thousand yards in the rear of the first line was stationed the second, under Lannes, supported by Champeaux's brigade of cavalry. At the same distance, in the rear of Lannes, was placed a strong reserve, or third line, consisting of the division of Carra St Cyr, and the consular guard at the head of whom was Buonaparte himself. Thus the French were drawn up on this memorable day in three distinct divisions, each composed of a *corps d'armée*, distant about three quarters of a mile in the rear of each other. June 14.

The force which the French had in the field in

the commencement of the day, was above twenty thousand men; the reserve, under Desaix, upon its arrival, might make the whole amount to thirty thousand. The Austrians attacked with nearly forty thousand troops. Both armies were in high spirits, determined to fight, and each confident in their general—the Austrians in the bravery and experience of Melas, the French in the genius and talents of Buonaparte. The immediate stake was the possession of Italy, but it was impossible to guess how many yet more important consequences the event of the day might involve. Thus much seemed certain, that the battle must be decisive, and that defeat must prove destruction to the party who should sustain it. Buonaparte, if routed, could hardly have accomplished his retreat upon Milan; and Melas, if defeated, had Suchet in his rear. The fine plain on which the French were drawn up, seemed lists formed by nature for such an encounter, when the fate of kingdoms was at issue.

Early in the morning the Austrians crossed the Bormida, in three columns, by three military bridges, and advanced in the same order. The right and the centre columns, consisting of infantry, were commanded by Generals Haddick and Kaine; the left, composed entirely of light troops and cavalry, made a detour round Castel-Ceriolo, the village mentioned as forming the extreme right of the French position. About seven in the morning, Haddick attacked Marengo with fury, and Gardanne's division, after fighting bravely, proved inadequate to its defence. Victor sup-

ported Gardanne, and endeavoured to cover the village by an oblique movement. Melas, who commanded in person the central column of the Austrians, moved to support Haddick; and by their united efforts, the village of Marengo, after having been once or twice lost and won, was finally carried.

The broken divisions of Victor and Gardanne, driven out of Marengo, endeavoured to rally on the second line, commanded by Lannes. This was about nine o'clock. While one Austrian column manœuvred to turn Lannes's flank, in which they could not succeed, another, with better fortune, broke through the centre of Victor's division, in a considerable degree disordered them, and thus uncovering Lannes's left wing, compelled him to retreat. He was able to do so in tolerably good order; but not so the broken troops of Victor on the left, who fled to the rear in great confusion. The column of Austrian cavalry who had come round Castel-Ceriolo, now appeared on the field, and threatened the right of Lannes, which alone remained standing firm. Napoleon detached two battalions of the consular guard from the third line, or reserve, which, forming squares behind the right wing of Lannes, supported its resistance, and withdrew from it in part the attention of the enemy's cavalry. The chief consul himself, whose post was distinguished by the furred caps of a guard of two hundred grenadiers, brought up Monnier's division, which had but now entered the field at the moment of extreme need, being the advance of Desaix's reserve, returned from their half day's march towards Rivolta. These were, with the guards,

directed to support Lannes's right wing, and a brigade detached from them was thrown into Castel-Ceriolo, which now became the point of support on Buonaparte's extreme right, and which the Austrians, somewhat unaccountably, had omitted to occupy in force when their left column passed it in the beginning of the engagement. Buonaparte, mean time, by several desperate charges of cavalry, endeavoured in vain to arrest the progress of the enemy. His left wing was put completely to flight; his centre was in great disorder, and it was only his right wing, which, by strong support, had been enabled to stand their ground.

In these circumstances the day seemed so entirely against him, that, to prevent his right wing from being overwhelmed, he was compelled to retreat in the face of an enemy superior in numbers, and particularly in cavalry and artillery. It was, however, rather a change of position, than an absolute retreat to the rear. The French right, still resting on Castel-Ceriolo, which formed the pivot of the manœuvre, had orders to retreat very slowly, the centre faster, the left at ordinary quick time. In this manner the whole line of battle was changed, and instead of extending diagonally across the plain, as when the fight began, the French now occupied an oblong position, the left being withdrawn as far back as St Juliano, where it was protected by the advance of Desaix's troops. This division, being the sole remaining reserve, had now at length arrived on the field, and, by Buonaparte's directions, had taken a strong position in front of St Juliano, on which the French were obliged to

retreat, great part of the left wing in the disorder of utter flight, the right wing steadily, and by intervals fronting the enemy, and sustaining with firmness the attacks made upon them.

At this time, and when victory seemed within his grasp, the strength of General Melas, eighty years old, and who had been many hours on horseback, failed entirely; and he was obliged to leave the field, and retire to Alexandria, committing to General Zach the charge of completing a victory which appeared to be already gained.

But the position of Desaix, at Saint Juliano, afforded the first consul a rallying point, which he now greatly needed. His army of reserve lay formed in two lines in front of the village, their flanks sustained by battalions *en potence*, formed into close columns of infantry; on the left was a train of artillery; on the right, Kellermann, with a large body of French cavalry, which, routed in the beginning of the day, had rallied in this place. The ground that Desaix occupied was where the high-road forms a sort of defile, having on the one hand a wood, on the other a thick plantation of vines.

The French soldier understands better perhaps than any other in the world the art of rallying, after having been dispersed. The fugitives of Victor's division, though in extreme disorder, threw themselves into the rear of Desaix's position, and, covered by his troops, renewed their ranks and their courage. Yet, when Desaix saw the plain filled with flying soldiers, and beheld Buonaparte himself in full retreat, he thought all

must be lost. They met in the middle of the greatest apparent confusion, and Desaix said, "The battle is lost—I suppose I can do no more for you than secure your retreat?"—"By no means," answered the first consul, "the battle is, I trust, gained—the disordered troops whom you see are my centre and left, whom I will rally in your rear—Push forward your column."

Desaix, at the head of the ninth light brigade, instantly rushed forward, and charged the Austrians, wearied with fighting the whole day, and disordered by their hasty pursuit. The moment at which he advanced, so critically favourable for Buonaparte, was fatal to himself. He fell, shot through the head.[1] But his soldiers continued to attack with fury, and Kellermann, at the same time charging the Austrian column, penetrated its ranks, and separated from the rest six battalions, 14th June.

[1] The *Moniteur* put in the mouth of the dying general a message to Buonaparte, in which he expressed his regret that he had done so little for history, and in that of the chief consul an answer, lamenting that he had no time to weep for Desaix. But Buonaparte himself assures us, that Desaix was shot dead on the spot; [Gourgaud, t. i. p. 300.] Nor is it probable that the tide of battle, then just upon the act of turning, left the consul himself time for set phrases, or sentimental ejaculations. [Savary, who was aide-de-camp to Desaix, had the body wrapped up in a cloak, and removed to Milan, where, by Napoleon's directions, it was embalmed, and afterwards conveyed to the hospice of St Bernard, where a monument was erected to the memory of the fallen hero. "'Desaix,' said Napoleon, 'loved glory for glory's sake, and France above every thing. Luxury he despised, and even comfort. He preferred sleeping under a gun in the open air to the softest couch. He was of an unsophisticated, active, pleasing character, and possessed extensive information.' The victor of Marengo shed tears for his death."—MONTHOLON, t. iv. p. 256.]

which, surprised and panic-struck, threw down their arms; Zach, who, in the absence of Melas, commanded in chief, being at their head, was taken with them. The Austrians were now driven back in their turn. Buonaparte galloped along the French line, calling on the soldiers to advance. "You know," he said, "it is always my practice to sleep on the field of battle."[1]

The Austrians had pursued their success with incautious hurry, and without attending to the due support which one corps ought, in all circumstances, to be prepared to afford to another. Their left flank was also exposed, by their hasty advance, to Buonaparte's right, which had never lost order. They were, therefore, totally unprepared to resist this general, furious, and unexpected attack. They were forced back at all points, and pursued along the plain, suffering immense loss; nor were they again able to make a stand until driven back over the Bormida. Their fine cavalry, instead of being drawn up in squadrons to cover their retreat, fled in disorder, and at full gallop, riding down all that was in their way. The confusion at passing the river was inextricable—large bodies of men were abandoned on the left side, and surrendered to the French in the course of the night, or next morning.[2]

It is evident, in perusing the accounts of this battle, that the victory was wrested out of the hands of the Austrians, after they had become, by the fatigues of the day, too weary to hold it. Had

[1] [Thibaudeau, t. vi. p. 312.]

[2] [Gourgaud, t. i. p. 296–303; Jomini, t. xiii. p. 278–296; Dumas, t. ii.; Savary, t. i. p. 176.]

they sustained their advance by reserves, their disaster would not have taken place. It seems also certain, that the fate of Buonaparte was determined by the arrival of Desaix at the moment he did,[1] and that in spite of the skilful disposition by which the chief consul was enabled to support the attack so long, he must have been utterly defeated had Desaix put less despatch in his counter-march. Military men have been farther of opinion, that Melas was guilty of a great error, in not occupying Castel-Ceriolo on the advance; and that the appearances of early victory led the Austrians to be by far too unguarded in their advance on Saint Juliano.

In consequence of a loss which seemed in the circumstances altogether irreparable, Melas resolved to save the remains of his army, by entering, upon the 15th June, 1800, into a convention,[2] or rather capitulation, by which he agreed, on receiving permission to retire behind Mantua, to yield up Genoa, and all the fortified places which the Austrians possessed in Piedmont, Lombardy, and the Legations. Buonaparte the more readily granted these terms, that an English army was in the act of arriving on the coast. His wisdom taught him not to drive a powerful enemy to despair, and to be satisfied with the glory of having regained, in the affairs of Montebello and of Marengo, almost

[——" Desaix, who turn'd the scale,
Leaving his life-blood in that famous field,
(Where the clouds break, we may discern the spot
In the blue haze,) sleeps, as thou saw'st at dawn,
Just where we enter'd, in the Hospital-church."
ROGERS *Italy*, p. 10.]

[1] [See Gourgaud, t. i. p. 303.]

all the loss sustained by the French in the disastrous campaign of 1799. Enough had been done to show, that, as the fortunes of France appeared to wane and dwindle after Buonaparte's departure, so they revived with even more than their original brilliancy, as soon as this Child of Destiny had returned to preside over them. An armistice was also agreed upon, which it was supposed might afford time for the conclusion of a victorious peace with Austria; and Buonaparte extended this truce to the armies on the Rhine, as well as those in Italy.

Two days having been spent in the arrangements which the convention with Melas rendered necessary, Buonaparte, on the 17th June, returned to Milan, where he again renewed the Republican constitution, which had been his original gift to the Cisalpine state.[1] He executed several other acts of authority. Though displeased with Massena for the surrender of Genoa, he did not the less constitute him commander-in-chief in Italy;[2] and though doubtful of Jourdan's attachment, who, on the 18th Brumaire, seemed ready to espouse the Republican

[1] "[The victory of Marengo had revived the hopes of the Italian people. Each resumed his post; each returned to his functions; and the machinery of government was in full operation in the course of a few days."—SAVARY, t. i. p. 186.]

[2] "[Though Massena was guilty of an error in embarking his troops at Genoa, instead of conducting them by land, he had always displayed much character and energy. In the midst of the fire and confusion of a battle, his demeanour was eminently noble. The din of the cannon cleared his ideas, and gave him penetration, spirit, and even gaiety."—NAPOLEON, *Gourgaud*, t. i. p. 243.]

interest, he did not on that account hesitate to name him minister of the French Republic in Piedmont, which was equivalent to giving him the administration of that province.[1] These conciliatory steps had the effect of making men of the most opposite parties see their own interest in supporting the government of the first consul.

The presence of Napoleon was now eagerly desired at Paris. He set out from Milan on the 24th June,[2] and in the passage through Lyons paused to lay the foundation-stone for rebuilding the Place Bellecour; a splendid square, which had been destroyed by the frantic vengeance of the Jacobins when Lyons was retaken by them from the insurgent party of Girondins and Royalists. Finally, the chief consul returned to Paris upon the 2d July. He had left it on the 6th of May; yet, in the space of not quite two months, how many hopes had he realised! All that the most sanguine partisans had ventured to anticipate of his success had been exceeded. It seemed that his mere pre-

[1] ["General Jourdan felt grateful on finding that the first consul had not only forgotten the past, but was also willing to give him so high a proof of confidence. He devoted all his zeal to the public good."—NAPOLEON, *Gourgaud*, t. i. p. 310.]

[2] ["The first consul's train consisted of two carriages. Duroc and Bourrienne were in the same carriage with him. I followed with General Bassières in the other. There is no exaggeration in saying, that the first consul travelled from Milan to Lyons between two rows of people in the midst of unceasing acclamations. The manifestations of joy were still greater at Dijon. The women of that delightful city were remarkable for the vivacity of an unaffected joy, which threw animation into their eyes, and gave their faces so deep a colour, as if they had trespassed the bounds of decorum."—SAVARY, t. i. p. 187.]

sence in Italy was of itself sufficient at once to obliterate the misfortunes of a disastrous campaign, and restore the fruits of his own brilliant victories, which had been lost during his absence. It appeared as if he was the sun of France—when he was hid from her, all was gloom—when he appeared, light and serenity were restored. All the inhabitants, leaving their occupations, thronged to the Tuileries to obtain a glimpse of the wonderful man, who appeared with the laurel of victory in the one hand, and the olive of peace in the other. Shouts of welcome and congratulation resounded from the gardens, the courts, and the quays, by which the palace is surrounded; high and low illuminated their houses; and there were few Frenchmen, perhaps, that were not for the moment partakers of the general joy.[1]

[1] ["The first consul was partaking also of the prevailing gladness when he learned that a courier from Italy had brought an account of the loss of the battle of Marengo. The courier had been despatched at the moment when every thing seemed desperate, so that the report of a defeat was general in Paris before the first consul's return. Many projects were disturbed by his arrival. On the mere announcement of his defeat, his enemies had returned to their work, and talked of nothing less than overturning the government, and avenging the crimes of the eighteenth Brumaire."—SAVARY, t. i. p. 190.]

CHAPTER XX.

Napoleon offers, and the Austrian Envoy accepts, a new Treaty—The Emperor refuses it, unless England is included.—Negotiations with England—fail.—Renewal of the War.—Armistice—Resumption of Hostilities.—Battle of Hohenlinden.—Other Battles—The Austrians agree to a separate Peace.—Treaty of Luneville.—Convention between France and the United States.—The Queen of Naples repairs to Petersburgh—Paul receives her with cordiality, and applies in her behalf to Buonaparte—His Envoy received at Paris with the utmost distinction, and the Royal Family of Naples saved for the present.—Rome restored to the authority of the Pope.—Napoleon demands of the King of Spain to declare War against Portugal.—Olivenza and Almeida taken.—Malta, after a Blockade of Two Years, obliged to submit to the English.

NAPOLEON proceeded to manage with great skill and policy the popularity which his success had gained for him. In war it was always his custom, after he had struck some venturous and apparently decisive blow, to offer such conditions as might induce the enemy to submit, and separate his interest from that of his allies. Upon this system of policy he offered the Count de St Julien, an Austrian envoy, the conditions of a treaty, having for its basis that of Campo Formio, which, after the

loss of Italy on the fatal field of Marengo, afforded terms much more favourable than the Emperor of Germany was entitled to have expected from the victors. The Austrian envoy accordingly took upon him to subscribe these preliminaries; but they did not meet the approbation of the Emperor, who placed his honour on observing accurately the engagements which he had formed with England, and who refused to accede to a treaty in which she was not included. It was added, however, that Lord Minto, the British ambassador at Vienna, had intimated Britain's willingness to be included in a treaty for general pacification.[1]

This proposal occasioned a communication between France and Britain, through Monsieur Otto, commissioner for the care of French prisoners.

Aug. 24. The French envoy intimated, that as a preliminary to Britain's entering on the treaty, she must consent to an armistice by sea, and suspend the advantages which she received from her naval superiority, in the same manner as the first consul of France had dispensed with prosecuting his victories by land. This demand would have withdrawn the blockade of the British vessels from the French seaports, and allowed the sailing

[1] ["Count St Julien arrived at Paris on the 21st July, 1800, with a letter from the Emperor of Germany to the first consul, containing these expressions: 'You will give credit to what Count Saint Julien will say to you on my behalf, and I will ratify all his acts.' The first consul directed M. de Talleyrand to negotiate with the Austrian plenipotentiary, and the preliminaries were drawn up and signed in a few days."—Gouraud, t. ii. p. 2. See also Thibaudeau, t. vi. p. 384; Jomini, t. xiv. p. 9.]

of reinforcements to Egypt and Malta, which last important place was on the point of surrendering to the English. The British ministers were also sensible that there was, besides, a great difference between a truce betwixt two land armies, stationed in presence of each other, and a suspension of naval hostilities over the whole world; since in the one case, on breaking off the treaty, hostilities can be almost instantly resumed; on the other, the distance and uncertainty of communication may prevent the war being recommenced for many months; by which chance of delay, the French, as being inferior at sea, were sure to be the gainers. The British statesmen, therefore, proposed some modifications, to prevent the obvious inequality of such armistice. But it was replied on the part of France, that though they would accept of such a modified armistice, if Great Britain would enter into a separate treaty, yet the chief consul would not consent to it if Austria was to be participant of the negotiation.[1]

Here, therefore, the overtures of peace betwixt France and England were shipwrecked, and the Austrian Emperor was reduced to the alternative of renewing the war, or entering into a treaty without his allies. He appears to have deemed himself obliged to prefer the more dangerous and more honourable course.

This was a generous resolution on the part of

[1] [For copies of the papers relative to the commencement of negotiations for peace with France, through the medium of M. Otto, see Annual Register, vol. xiii. p. 209. See also Jomini, t. xiv. p. 19; and Gourgaud, t. ii. p. 4.]

Austria; but by no means politic at the period, when their armies were defeated, their national spirit depressed, and when the French armies had penetrated so far into Germany. Even Pitt himself, upon whose declining health the misfortune made a most unfavourable impression, had considered the defeat of Marengo as a conclusion to the hopes of success against France for a considerable period. "Fold up the map," he said, pointing to that of Europe; "it need not be again opened for these twenty years."

Yet, unwilling to resign the contest, even while a spark of hope remained, it was resolved upon in the British councils to encourage Austria to farther prosecution of the war. Perhaps, in recommending such a measure to her ally, at a period when she had sustained such great losses, and was in the state of dejection to which they gave rise, Great Britain too much resembled an eager and over-zealous second, who urges his principal to continue a combat after his strength is exhausted. Austria, a great and powerful nation, if left to repose, would have in time recruited her strength, and constituted once again a balance against the power of France on the continent; but if urged to farther exertions in the hour of her extremity, she was likely to sustain such additional losses, as might render her comparatively insignificant for a number of years. Such at least is the conclusion which we, who have the advantage of considering the measure with reference to its consequences, are now enabled to form. At the emergency, things were viewed in a different light. The victories of

Suwarrow and of the Archduke Charles were remembered, as well as the recent defeats sustained by France in the year 1799, which had greatly tarnished the fame of her arms. The character of Buonaparte was not yet sufficiently estimated. His failure before Acre had made an impression in England, which was not erased by the victory of Marengo; the extreme prudence which usually tempered his most venturous undertakings was not yet generally known; and the belief and hope were received, that one who ventured on such new and daring manœuvres as Napoleon employed, was likely to behold them miscarry at length, and thus to fall as rapidly as he had risen.

Influenced by such motives, it was determined in the British cabinet to encourage the Emperor, by a loan of two millions, to place himself and his brother, the Archduke John, in command of the principal army, raise the whole national force of his mighty empire, and at the head of the numerous forces which he could summon into the field, either command a more equal peace, or try the fortunes of the most desperate war.

The money was paid, and the Emperor joined the army; but the negotiations for peace were not broken off. On the contrary, they were carried on much on the terms which Saint Julien had subscribed to, with this additional and discreditable circumstance, that the first consul, as a pledge of the Austrian sincerity, required that the three fortified towns of Ingoldstadt, Ulm, and Philipstadt, should be placed temporarily in the hands of the French; a condition to which the Austrians were

compelled to submit. But the only advantage purchased by this surrender, which greatly exposed the hereditary dominions of Austria, was an armistice of forty-five days, at the end of which hostilities were again renewed.[1]

In the action of Haag, the Archduke John, whose credit in the army almost rivalled that of his brother Charles, obtained considerable advantages;[2] and, encouraged by them, he ventured on the 3d of December, 1800, two days afterwards, a great and decisive encounter with Moreau. This was the occasion on which that general gained over the Austrians the bloody and most important victory of Hohenlinden,—an achievement which did much to keep his reputation for military talents abreast with that of the First Consul himself. Moreau pursued his victory, and obtained possession of Salzburg. At the same time Augereau, at the head of the Gallo-Batavian army, pressed forward into Bohemia; and Macdonald, passing from the country of the Grisons into the Valteline, forced a division of his army across the Mincio, and communicated with Massena and the French army in Italy. The Austrian affairs seemed utterly desperate. The Archduke Charles was again placed at the head of

[1] [Gourgaud, t. ii.; Thibaudeau, t. vi. p. 386; Annual Register, vol. xlii. p. 206.]

[2] ["The manœuvre of the Austrian army was a very fine one, and this first success augured others of great importance; but the archduke did not know how to profit by circumstances, but gave the French army time to rally and recover from its first surprise. He paid dearly for this error, which was the principal cause of the catastrophe of the following day."—Napoleon, *Gourgaud*, t. xiv. p. 32.]

her forces, but they were so totally discouraged, that a retreat on all points was the only measure which could be executed.

Another and a final cessation of arms was now the only resource of the Austrians; and, in order to obtain it, the Emperor was compelled to agree to make a peace separate from his allies. Britain, in consideration of the extremity to which her ally was reduced, voluntarily relieved him from the engagement by which he was restrained from doing so without her participation. An armistice shortly afterwards took place, and the Austrians being now sufficiently humbled, it was speedily followed by a peace. Joseph Buonaparte, for this purpose, met with the Austrian minister, Count Cobentzel, at Luneville, where the negotiations were carried on.

There were two conditions of the treaty, which were peculiarly galling to the Emperor. Buonaparte peremptorily exacted the cession of Tuscany, the hereditary dominions of the brother of Francis, which were to be given up to a prince of the House of Parma, while the archduke was to obtain an indemnity in Germany. The French Consul demanded, with no less pertinacity, that Francis (though not empowered to do so by the Germanic constitution) should confirm the peace, as well in his capacity of Emperor of Germany, as in that of sovereign of his own hereditary dominions. This demand, from which Buonaparte would on no account depart, involved a point of great difficulty and delicacy. One of the principal clauses of the treaty included the cession of the whole territories on the left bank of the Rhine to the French Re-

public; thereby depriving not only Austria, but Prussia, and various other princes of the German empire, of their possessions in the districts, which were now made over to France. It was provided that the princes who should suffer such deprivations, were to be remunerated by indemnities, as they were termed, to be allotted to them at the expense of the Germanic body in general. Now, the Emperor had no power to authorize the alienation of these fiefs of the empire, without consent of the Diet, and this was strongly urged by his envoy.

Buonaparte was, however, determined to make peace on no other terms than those of the Emperor's giving away what was not his to bestow. Francis was compelled to submit, and, as the necessity of the case pleaded its apology, the act of the Emperor was afterwards ratified by the Diet. Except in these mortifying claims, the submission to which plainly intimated the want of power to resist compulsion, the treaty of Luneville[1] was not much more advantageous to France than that of Campo Formio; and the moderation of the first consul indicated at once his desire of peace upon the continent, and considerable respect for the bravery and strength of Austria, though enfeebled by such losses as those of Marengo and Hohenlinden.

We have already noticed the disputes betwixt France and America, and the scandalous turn of the negotiations, by which the French Directory attempted to bully or wheedle the United States out of a sum of money, which, in part at least, was to be

[1] [For a copy of the Treaty, see *Annual Register*, vol. xliii. p. 270.]

dedicated to their own private use. Since that time the aggressions committed by the French on the American navy had been so numerous, that the two republics seemed about to go to war, and the United States actually issued letters of marque for making reprisals on the French. New communications and negotiations, however, were opened, which Buonaparte studied to bring to maturity. His brother Joseph acted as negotiator, and on the 30th of September, 1800, a convention[1] was entered into, to subsist for the space of eight years, agreeing on certain modifications of the right of search, declaring that commerce should be free between the countries, and that the captures on either side, excepting such as were contraband, and destined for an enemy's harbour, should be mutually restored. Thus Buonaparte established peace between France and the United States, and prevented the latter, in all probability, from throwing themselves into a closer union with Britain, to which their common descent, with the similarity of manners, language, and laws, overcoming the recollection of recent hostilities, might have otherwise strongly inclined them.

Still more important results were derived by Napoleon, from the address and political sagacity, with which, in accommodating matters with the court of Naples, he contrived to form what finally became a strong and predominating interest in the councils,

[1] [For a copy of the Convention, see *Annual Register*, vol. xlii. p. 282.]

and even the affections of a monarch, whose amity was, of all others, the most important to his plans. The prince alluded to was the Emperor of Russia, who had been, during the preceding year, the most formidable and successful enemy encountered by France since her Revolution. A short resumption of facts is necessary, to understand the circumstances in which the negotiation with Naples originated.

When Buonaparte departed for Egypt, all Italy, excepting Tuscany, and the dominions assigned to Austria by the treaty of Campo Formio, was in the hands of the French; while Naples was governed by the ephemeral Parthenopean republic, and the city of the popes by that which assumed the superb title of Roman. These authorities, however, were only nominal; the French generals exercised the real authority in both countries. Suddenly, and as if by magic, this whole state of affairs was changed by the military talents of Suwarrow. The Austrians and Russians gained great successes in the north of Italy, and General Macdonald found himself obliged to evacuate Naples, and to concentrate the principal resistance of the French in Lombardy and Piedmont. Cardinal Ruffo, a soldier, churchman, and politician, put himself at the head of a numerous body of insurgents, and commenced war against such French troops as had been left in the south, and in the middle of Italy. This movement was actively supported by the British fleet. Lord Nelson recovered Naples; Rome surrendered to Commodore

Trowbridge. Thus, the Parthenopean and Roman republics were extinguished for ever.[1] The royal family returned to Naples, and that fine city and country were once more a kingdom. Rome, the capital of the world, was occupied by Neapolitan troops, generally supposed the most indifferent of modern times.

Replaced in his richest territories by the allies, the King of Naples was bound by every tie to assist them in the campaign of 1800. He accordingly sent an army into the March of Ancona, under the command of Count Roger de Damas, who, with the assistance of insurrectionary forces[2] among the inhabitants, and a body of Austrians, was to clear Tuscany of the French. Undeterred by the battle of Marengo, the Count de Damas marched against the French general Miollis, who commanded in Tuscany, and sustained a defeat by him near Sienna. Retreat became now necessary the more especially as the armistice which was entered into by General Melas deprived the Neapolitans of any assistance from the Austrians, and rendered their whole expedition utterly hopeless. They were not even included by name in the armistice, and were thus left exposed to the whole vengeance of the French. Damas retreated into the territories of the church, which were still occupied by the Neapolitan forces. The consequence of

[1] [Botta, Storia d'Italia, t. iii. p. 479.]

[2] These were, at this period, easily raised in any part of Italy. The exactions of the French had entirely alienated the affections of the natives, who had long since seen through their pretexts of affording them the benefit of a free government.

these events was easily foreseen. The Neapolitan troops, so soon as the French could find leisure to look towards them, must be either destroyed entirely, or driven back upon Naples, and that city must be again forsaken by the royal family, happy if they were once more able to make their escape to Sicily, as on the former occasion.[1]

At this desperate crisis, the Queen of the two Sicilies took a resolution which seemed almost as desperate, and could only have been adopted by a woman of a bold and decisive character. She resolved, notwithstanding the severity of the season, to repair in person to the court of the Emperor Paul, and implore his intercession with the first consul, in behalf of her husband and his territories.

We have not hitherto mentioned, except cursorily, the powerful prince whose mediation she implored. The son and successor of the celebrated Catherine, far from possessing the prudence and political sagacity of his mother, seemed rather to display the heady passions and imperfect judgment of his unfortunate father. He was capricious in the choice of his objects, pursuing for the time, with uncommon and irregular zeal and pertinacity, projects which he afterwards discarded and abandoned, swelling trifles of dress or behaviour into matters of importance, and neglecting, on the other hand, what was of real consequence;—governed. in short, rather by imagination than by his reasoning qualities, and sometimes affording room to believe that he actually laboured under a partial

[1] [Gourgaud, t. ii. p. 88; Jomini, t. xiv. p. 215.]

aberration of mind. Such characters are often to be met with in private society, the restraints of which keep them within such limits, that they pass through life without attracting much notice, unless when creating a little mirth, or giving rise to some passing wonder. But an absolute prince, possessed of such a disposition, is like a giddy person placed on the verge of a precipice, which would try the soundest head, and must overpower a weak one.

The Emperor had first distinguished himself by an energetic defence of the rights of sovereigns, and a hatred of whatever belonged to or was connected with the French Revolution, from a political maxim, to the shape of a coat or a hat. The brother of Louis XVI., and inheritor of his rights, found a refuge in the Russian dominions; and Paul, fond, as most princes are, of military glory, promised himself that of restoring the Bourbon dynasty by force of arms.

The train of victories acquired by Suwarrow was well calculated to foster these original partialities of the Emperor; and, accordingly, while success continued to wait on his banners, he loaded his general with marks of his regard, elevated him to the rank of a prince, and conferred on him the title of Italinsky, or Italicus.

The very first and only misfortune which befell Suwarrow, seems to have ruined him in the opinion of his capricious master. The defeat of Korsakow by Massena, near Zurich, had involved Suwarrow in great momentary danger as he advanced into Switzerland, reckoning on the support of that general, whose disaster left his right un-

covered. Now, although Suwarrow saved his army on this occasion by a retreat, which required equal talent to that which achieved his numerous victories, yet the bare fact of his having received a check, was sufficient to ruin him with his haughty sovereign. Paul was yet more offended with the conduct of the Austrians. The Archduke Charles having left Switzerland to descend into Germany, had given occasion and opportunity for Massena to cross the Limmat and surprise Korsakow; and this, notwithstanding every explanation and apology, rankled in the mind of the Czar.[1] He recalled his armies from the frontiers of Germany, and treated his veteran and victorious general with such marks of neglect and displeasure, that the old man's heart sunk under them.

In the mean while, Paul gathered up farther subjects of complaint against the Austrian government, and complained of their having neglected to provide for some Russian prisoners,[2] under a capi-

[1] ["In 1800, Suwarrow returned to Russia with scarcely a fourth of his army. The Emperor Paul complained bitterly of having lost the flower of his troops, who had neither been seconded by the Austrians nor the English. He reproached the Cabinet of Austria with having refused, after the conquest of Piedmont, to replace the King of Sardinia on his throne, and with being destitute of grand and generous ideas, and wholly governed by calculation and interested motives. The first consul did every thing in his power to cherish these seeds of discontent, and to make them productive."—NAPOLEON, *Gourgaud*, t. ii. p. 131.]

[2] ["I had hit upon the bent of Paul's character. I seized time by the forelock; I collected the Russians; I clothed them, and sent them back to him without any expense. From that instant that generous heart was devoted to me."—NAPOLEON, *Las Cases*, t. v. p. 174.]

tulation which they made in behalf of their own, at the surrender of Ancona to the French.

The Austrians could not afford to lose so powerful and efficient an ally in the day of their adversity. They endeavoured to explain, that the movement of the Archduke Charles was inevitably necessary, in consequence of an invasion of the Austrian territory—they laid the blame of the omission of the Russians in the capitulation upon the commandant Frœlich, and offered to place him under arrest. The Emperor of Austria even proposed, in despite of the natural pride which is proper to his distinguished house, to place Suwarrow at the head of the Austrian armies,—a proffer which, if it had been accepted, might have given rise to an extraordinary struggle betwixt the experience, determination, and warlike skill of the veteran Scythian, and the formidable talents of Buonaparte, and which perhaps contained the only chance which Europe possessed at the time, of opposing to the latter a rival worthy of himself; for Suwarrow had never yet been conquered, and possessed an irresistible influence over the minds of his soldiers. These great generals, however, were not destined ever to decide the fate of the world by their meeting.

Suwarrow, a Russian in all his feelings, broke his heart, and died under the unmerited displeasure of his Emperor, whom he had served with so much fidelity.[1] If the memory of his unfortunate

[1] Suwarrow died at Petersburgh, in May 1800, of that accumulated chagrin, that proud and sullen resentment which is familiarly called a broken heart; he expired in a small wooden

sovereign were to be judged of according to ordinary rules, his conduct towards his distinguished subject would have left on it an indelible stigma. As it is, the event must pass as another proof, that the Emperor Paul was not amenable, from the construction of his understanding and temperament, to the ordinary rules of censure.

Mean while, the proposals of Austria were in vain. The Czar was not to be brought back to his former sentiments. He was like a spoiled child, who, tired of his favourite toy, seems bent to break asunder and destroy what was lately the dearest object of his affection.

When such a character as Paul changes his opinion of his friends, he generally runs into the opposite extreme, and alters also his thoughts of his enemies. Like his father, and others whose imagination is indifferently regulated, the Czar had need of some one of whom to make his idol. The extravagant admiration which the Emperor Peter felt for Frederick of Prussia, could not well be entertained for any one now alive, unless it were the first consul of France; and on him, therefore, Paul was now disposed to turn his eyes with a mixture of wonder, and of a wish to imitate what he wondered at.[1] This extravagance of admiration is a

house, under the displeasure of his master, at a distance from his family, and abandoned by his friends.

[1] ["Paul, attacked in so many different directions, gave way to his enthusiastic temper, and attached himself to France with all the ardour of his character. He despatched a letter to Napoleon, in which he said, "Citizen first consul, I do not write to you to discuss the rights of men or citizens; every country governs itself as it pleases. Wherever I see at the head of a nation a man who knows how to rule and how to fight,

passion natural to some minds, (never strong ones,) and may be compared to that tendency which others have to be in love all their lives, in defiance of advancing age and other obstacles.

When Paul was beginning to entertain this humour, the arrival of the Queen of Sicily at his court gave him a graceful and even dignified opportunity to approach towards a connexion with Napoleon Buonaparte. His pride, too, must have been gratified by seeing the daughter of the renowned Maria Theresa, the sister of the Emperor of Austria, at his court of St Petersburgh, soliciting from the Czar of Russia the protection which her brother was totally unable to afford her; and a successful interference in her behalf would be a kind of insult to the misfortunes of that brother, against whom, as we have noticed, Paul nourished resentful feelings. He therefore resolved to open a communication with France, in behalf of the royal family of Naples. Lewinshoff, grand huntsman of Russia, was despatched to make the overtures of mediation. He was received with the utmost distinction at Paris, and Buonaparte made an instant and graceful concession to the request of the Emperor Paul. The First Consul agreed to suspend his military operations against Naples, and to leave the royal family in possession of their sovereignty; reserving to himself, however, the right of dictating the terms under which he was to grant them such an amnesty.

my heart is attracted towards him. I write to inform you of my dissatisfaction with the English Government, which violates every article of the law of nations, and has no guide but base self-interest. I wish to unite with you to put an end to the unjust proceedings of that Government."—GOURGAUD, t. ii. p. 133.]

It was time that some effectual interposition should take place in defence of the King of Naples, who, though he had around him a nation individually brave and enthusiastic, was so ill-served, that his regular army was in the worst and most imperfect state of discipline. Murat, to whom Buonaparte had committed the task of executing his vengeance on Naples, had already crossed the Alps, and placed himself at the head of an army of ten thousand chosen men; a force then judged sufficient not only to drive the Neapolitan general Damas out of the Ecclesiastical States, but to pursue him as far as Naples, and occupy that beautiful capital of a prince, whose regular army consisted of more than thirty thousand soldiers, and whose irregular forces might have been increased to any number by the mountaineers of Calabria, who form excellent light troops, and by the numerous Lazzaroni of Naples, who had displayed their valour against Championet, upon the first invasion of the French. But the zeal of a nation avails little when the spirit of the government bears no proportion to it. The government of Naples dreaded the approach of Murat as that of the Angel of Death; and they received the news that Lewinshoff had joined the French general at Florence, as a condemned criminal might have heard the news of a reprieve. The Russian envoy was received with distinguished honours at Florence. Murat appeared at the theatre with Lewinshoff, where the Italians, who had so lately seen the Russian and French banners placed in bloody opposition to each other, now beheld them formally

united in presence of these dignitaries; in sign, it was said, that the two nations were combined for the peace of the world, and general benefit of humanity.[1] Untimely augury! How often after that period did these standards meet in the bloodiest fields history ever recorded; and what a long and desperate struggle was yet in reserve ere the general peace so boldly predicted was at length restored!

The respect paid by the First Consul to the wishes of Paul, saved for the present the royal family of Naples; but Murat, nevertheless, made them experience a full portion of the bitter cup which the vanquished are generally doomed to swallow. General Damas[2] was commanded in the haughtiest terms to evacuate the Roman States, and not to presume to claim any benefit from the armistice which had been extended to the Austrians. At the same time, while the Neapolitans were thus compelled hastily to evacuate the Roman territories, general surprise was exhibited, when, instead of marching to Rome, and re-establishing the authority of the Roman republic, Murat, according to the orders which he had received from the First Consul, carefully respected the territory of the Church, and re-installed the officers of the Pope in what had been long termed the patrimony of St Peter.[3]

[1] [Botta, t. iv. p. 87; Jomini, t. xiv. p. 216.]

[2] [Count Roger Damas, on the restoration of the Bourbons, was appointed first gentleman of the King's chamber, and Governor of the 9th military division. He died in 1825.]

[3] [Jomini, t. xiv. p. 220.]

This unexpected turn of circumstances originated in high policy on the part of Buonaparte.[1]

We certainly do Napoleon no injustice in supposing, that personally he had little or no influential sense of religion. Some obscure yet rooted doctrines of fatality, seem, so far as we can judge, to have formed the extent of his metaphysical creed. We can scarce term him even a deist; and he was an absolute stranger to every modification of Christian belief and worship. But he saw and valued the use of a national religion as an engine of state policy. In Egypt, he was desirous of being thought an envoy of Heaven; and though uncircumcised, drinking wine and eating pork, still claimed to be accounted a follower of the law of the Prophet. He had pathetically expostulated with the Turks on their hostility towards him. The French, he said, had ceased to be followers of Jesus; and now that they were almost, if not altogether, Moslemah, would the true believers make war on those who had overthrown the cross, dethroned the Pope, and extirpated the order of Malta, the sworn persecutors of the Moslem faith? On his return to France, all this was to be forgotten, or only remembered as a trick played upon the infidels. He was, as we have said, aware of the necessity of a national faith to support the civil

[1] ["This conduct excited the gratitude of the Pontiff, who immediately caused Cardinal Gonsalvi to write to General Murat, on the 31st of January, to express to him 'the lively regard which he felt for the first consul;' on whom, said he, depends the tranquillity of religion, as well as the happiness of Europe.'"—GOURGAUD, t. ii. p. 92.]

government; and as, while in Egypt, he affected to have destroyed the Catholic religion in honour of that of Mahomed, so, returned to Europe, he was now desirous to become the restorer of the temporal territories of the Pope, in order to obtain such a settlement of church affairs in France, as might procure for his own government the countenance of the Sovereign Pontiff, and for himself an admission into the pale of Christian princes. This restitution was in some measure consistent with his policy in 1798, when he had spared the temporalities of the Holy See. Totally indifferent as Napoleon was to religion in his personal capacity, his whole conduct shows his sense of its importance to the existence of a settled and peaceful state of society.

Besides evacuating the Ecclesiastical States, the Neapolitans were compelled by Murat to restore various paintings, statues, and other objects of art, which they had in imitation of Buonaparte, taken forcibly from the Romans;—so captivating is the influence of bad example. A French army of about eighteen thousand men was to be quartered in Calabria, less for the purpose of enforcing the conditions of peace, than to save France the expense of supporting the troops, and to have them stationed where they might be embarked for Egypt at the shortest notice. The harbours of the Neapolitan dominions were of course to be closed against the English. A cession of part of the isle of Elba, and the relinquishment of all pretensions upon Tuscany, summed up the sacrifices of the King of Naples, who, considering how often he

had braved Napoleon, had great reason to thank the Emperor of Russia for his effectual mediation in his favour.[1]

These various measures respecting foreign relations, the treaty of Luneville, the acquisition of the good-will of the Emperor Paul, the restoration of Rome to the Pope's authority, and the mildness of the penalty inflicted on the King of Naples, seemed all to spring from a sound and moderate system, the object of which was rather the consolidation of Napoleon's government, than any wish to extend its influence or its conquests. His plans, in after times, often exhibited a mixture of the greatest good sense and prudence, with rash and splenetic explosions of an over-eager ambition, or a temper irritated by opposition; but it is to be remembered that Buonaparte was not yet so firm in the authority which he had but just acquired, as to encourage any display of the infirmities of his mind and temper.

His behaviour towards Portugal was, however, of a character deviating from the moderation he had in general displayed. Portugal, the ancient and faithful ally of England, was on that account the especial object of the First Consul's displeasure. He, therefore, demanded of the King of Spain, who, since the peace between the countries, had been the submissive vassal of France, to declare war on the Prince Regent of Portugal, although the husband of his daughter. War accordingly was declared, in obedience to the mandate of the

[1] [Gourgaud, t. ii. p. 93.]

First Consul, and the Spanish armies, together with an auxiliary army of French under Leclerc, entered Portugal, took Olivenza and Almeida, and compelled the prince regent, 6th of June, 1801, to sign a treaty, engaging to shut his ports against the English, and surrendering to Spain, Olivenza, and other places on the frontier of the Guadiana. Buonaparte was highly discontented with this treaty, to which he would not accede; and he refused, at the same time, to withdraw from Spain the army of Leclerc. On the 29th September, he condescended to grant Portugal peace under some additional terms,[1] which were not in themselves of much consequence, although the overbearing and peremptory conduct which he exhibited towards the Peninsular powers, was a sign of the dictatorial spirit which he was prepared to assume in the affairs of Europe.

The same disposition was manifested in the mode by which Buonaparte was pleased to show his sense of the King of Spain's complaisance. He chose for that purpose to create a kingdom and a king—a king, too, of the house of Bourbon. An infant of Spain obtained the throne of Tuscany, under the name of Etruria, rent from the house of Austria.[2] Madame de Staël terms this the commencement of the great masquerade of Europe; but it was more properly the second act. The stage, during the first, was occupied by a quadrille of republics, who were now to be replaced by an

[1] [See the Treaty, *Annual Register*, v. xliii. p. 294.]

[2] [Botta, t. iv. p. 83; Gourgaud, t. ii. p. 94; Montgaillard, t. v. p. 430.]

anti-mask of kings. This display of power pleased the national vanity, and an uproar of applause ensued, while the audience at the theatre applied to Buonaparte the well-known line—

"J'ai fait des rois, madame, et n'ai pas voulu l'être."

While all the continent appeared thus willing to submit to one so ready to avail himself of their subjection, Britain alone remained at war; without allies, without, it might seem, a direct object; yet on the grand and unalterable principle, that no partial distress should induce her to submit to the system of degradation, which seemed preparing for all nations under the yoke of France, and which had placed France herself, with all her affected zeal for liberty, under the government of an arbitrary ruler. On every point the English squadrons annihilated the commerce of France, crippled her revenues, blockaded her ports, and prevented those combinations which would have crowned the total conquest of Europe, could the master, as he might now be called, of the land, have enjoyed, at the same time, the facilities which can only be afforded in communication by sea.

It was in vain that Buonaparte, who, besides his natural hardiness of perseverance, connected a part of his own glory with the preservation of Egypt, endeavoured by various means to send supplies to that distant province. His convoys were driven back into harbour by the English fleets; and he directed against his admirals, who could not achieve impossibilities, the unavailing resentment natural to one who was so little accustomed to disappointment.

The chance of relieving Egypt was rendered yet more precarious by the loss of Malta, which, after a distressing blockade of two years, was obliged to submit to the English arms on the 5th of September, 1800. The English were thus in possession of a strong, and almost impregnable citadel, in the midst of the Mediterranean, with an excellent harbour, and every thing required for a naval station of the first importance; above all, they had obtained the very spot which Buonaparte had fixed upon for maintaining the communication with Egypt, which was now in greater danger than ever.

The capture of Malta was, however, by its consequences, favourable to Napoleon's views in one important respect. The Emperor Paul imagined he had rights upon that island, in consequence of his having declared himself Grand Master of the Order of Saint John; and although, by his deserting the coalition, and abandoning the common cause, he had lost all right to expect that Great Britain should surrender to him an important acquisition made by her own arms, yet, with his usual intemperate indulgence of passion, he conceived himself deeply injured by its being withheld,[1] and nourished from that time an implacable resentment against England and her government, the effects of which are afterwards to be traced.

[1] ["Paul had been promised Malta, the moment it was taken possession of, and accordingly he was in great haste to get himself nominated Grand-Master. But when Malta had fallen, the English ministers denied that they had promised it to him. It is confidently stated, that Paul felt so indignant, that seizing the despatch, in full council, he ran his sword through it, and ordered it to be sent back in that condition, by way of answer."—Napoleon, *Las Cases*, t. v. 174.].

CHAPTER XXI.

Internal Government of France.—General Attachment to the Chief Consul.—Plot to remove him by Assassination —Defeated.—Vain hopes of the Royalists, that Napoleon would restore the Bourbons.—Infernal Machine—It fails.—Suspicion first falls on the Republicans.—The actual Conspirators executed.—Use made by Buonaparte of the Conspiracy to consolidate Despotism.—System of Police.—Fouché—His Skill, Influence, and Power.—Apprehension entertained by the Chief Consul of the effects of Literature.—Persecution of Madame de Staël. —The Concordat.—Plan for a general System of Jurisprudence.—Amnesty granted to the Emigrants.—Plans of Public Education.—Hopes of a General Peace.

We return to the internal government of France under the chief consul.

The events subsequent to the revolution of the 18th Brumaire, seemed to work a miraculous change on the French nation. The superior talents of Napoleon, with the policy exercised by Talleyrand and Fouché, and the other statesmen of ability whom he had called into administration, and who desired at all events to put an end to further revolutionary movements—but, above all, the victory of Marengo, had at once created and attached to the person of the Chief Consul an immense party, which might be said to comprehend all those, who, being neither decided Royalists nor determined Repub-

licans, were indifferent about the form of the government, so they found ease and protection while living under it.[1]

But, on the other hand, the heads of the two factions continued to exist; and, as the power of the First Consul became at once more absolute and more consolidated, it grew doubly hateful and formidable to them. His political existence was a total obstruction to the systems of both parties, and yet one which it was impossible to remove. There was no national council left, in which the authority of the First Consul could be disputed, or his measures impeached. The strength of his military power bid defiance alike to popular commotions, if the Democrats had yet possessed the means of exerting them, and to the scattered bands of the Royalist insurgents. What chance remained for ridding themselves of the autocrat, in whom the Republicans saw a dictator, the Royalists an usurper?

[1] ["The First Consul restored order to all the branches of the administration, and probity in the dealings of private individuals with the government. He caused a strict examination to be made of the accounts of all persons presenting themselves as creditors of the state, and took a detailed cognizance of all the frauds and peculations to which the public purse had been a prey during the administration of the Directory. He had had some misgivings on the subject previously to his coming to power; but he was soon convinced that he had not suspected one half of the disorder which actually existed. Accordingly, from that moment he never could feel either esteem for or confidence in certain individuals, notwithstanding their great wealth. He often said, that he thought better of a highwayman, who at least exposes his life, than he did of those leeches, who carry off every thing without running any risk."—SAVARY, t. i. p. 192.]

None, save that, being mortal, Napoleon was subject to be taken off by assassination.

The Democrats were naturally the first to meditate an enterprise of this nature. The right of taking off a tyrant was, according to their creed, as proper to any private citizen as to those who opposed him armed in the field. The act of Harmodius and Aristogiton—the noble deed of Brutus and his associates—were consecrated in history, and esteemed so congenial to the nature of a free constitution, that the Convention, on the motion of Jean de Brie,[1] had at one time determined to raise a legion of assassins, armed with poniards, who should devote themselves to the pious task of exterminating all foreign princes, statesmen, and ministers—in short, all who were accounted the foes of freedom, without pity or distinction. In a party entertaining such principles, there could be no scruple on the score of morality; and where they had been so lately professed by thousands, it seemed natural that, amid the multitude, they must have made a deep impression on some enthusiastic and gloomy disposition, which might be easily provoked to act upon them.

It is no wonder, therefore, that some obscure Jacobins should have early nourished the purpose of assassinating Napoleon, as the enemy of his country's freedom, and the destroyer of her liberties; but it is singular, that most of the conspirators against his person were Italians. Arena, brother

[1] [August 26, 1792. See Biographie Moderne, t. i. p. 338; and Montgaillard, t. iii. p. 115.]

of the deputy[1] who was said to have aimed a dagger at Buonaparte in the Council of Five Hundred, was at the head of the conspiracy. He was a Corsican.[2] With him, Ceracchi[3] and Diana, two Italian refugees; a painter called Topino-Lebrun;[4] and two or three enthusiasts of low condition, formed a plot for the purpose of assassinating the Chief Consul at the Opera-house. Their intention was detected by the police; Ceracchi and Diana were arrested in the lobby,[5] armed, it was said, and prepared for the attempt, and Napoleon was congratulated by most of the constituted authorities upon having escaped a great danger.[6] Oct. 10.

[1] [See *ante*, p. 23.]

[2] [In 1797, Arena was appointed one of the deputies from Corsica to the Council of Five Hundred.]

[3] [Giuseppe Ceracchi was born at Rome in 1760. He was a sculptor, had been a pupil of Canova, and had modelled the bust of Napoleon.—"When he entered into the plot, he endeavoured to procure another sitting, under pretence of making an essential improvement on the bust. Fortunately, at that time, the Consul had not a single moment's leisure; and thinking that want was the real cause of the urgent solicitations of the sculptor, he sent him six thousand francs."—NAPOLEON, *Las Cases*, t. iii. p. 10.]

[4] [Topino Lebrun, an historical painter, and pupil of David, was born at Marseilles in 1769.]

[5] ["The First Consul's box was in the first tier in front: his access to it was by the public entrance. In this attempt originated the idea of a private entrance."—SAVARY, t. i. p. 229.]

[6] ["An individual named Harel, one of the accomplices, in the hope of large remuneration, made some disclosures to Bourrienne, secretary of the first consul. Harel being brought forward, corroborated his first information, and designated the conspirators."—FOUCHÉ, t. i. p. 170. "After dinner, Buonaparte threw a great-coat over his little green uniform, and got into his car-

Crassous, president of the Tribunate, made a singular speech on the occasion, which would almost bear a double interpretation. "There had been so many conspiracies," he said, "at so many different periods, and under so many different pretexts, which had never been followed up either by enquiry or punishment, that a great number of good citizens had become sceptical on the subject of their existence. This incredulity was dangerous," he argued; "it was time it should be ended." With this view, Monsieur Crassous recommended, that the persons guilty on the present occasion should be prosecuted and punished with all the solemnity and rigour of the laws.

Buonaparte replied, with military indifference, that he had been in no real danger. "The contemptible wretches," he said, in something like a renewal of his Egyptian vein, "had no power to commit the crime they meditated. Besides the assistance of the whole audience, I had with me a piquet of my brave guard, from whom the wretches could not have borne a look."[1] So ended this singular discourse; and it is remarkable that neither were the circumstances of the plot made public, nor the conspirators punished, till the more

riage, accompanied by Duroc and myself. He arrived and entered his box without interruption. In about half an hour he desired me to go into the corridor, and observe what passed. Scarcely had I left the box, when, hearing a great noise, I learned that a number of persons had been arrested. I returned to inform the First Consul, and we drove instantly back to the Tuileries."—BOURRIENNE.]

[1] [Mémoires de Fouché, t. i. p. 172.]

memorable attempt on Napoleon's life by the Royalists.

The Royalists, as a party, had far more interest with Buonaparte than the Democrats. The former approved of the principles and form of his government,—it was only necessary for their conversion, that they should learn to endure his person; whereas the Jacobins being equally averse to the office to which he aspired, to his power, and to himself, there were no hopes of their being brought to tolerate either the monarch or the man. Of the latter, therefore, Napoleon entertained equal dislike and distrust; while, from obvious causes, his feelings towards the former were in some measure friendly.

The Royalists, too, for some time entertained a good opinion of Buonaparte, and conceived that he intended, in his own time and in his own way, to act in behalf of the exiled royal family. The enthusiastic of the party were at a loss to conceive that the throne of France should be again erected, and that any one but a Bourbon should dare to ascend it. It seemed to them impossible that the monarchy should revive without the restoration of the legitimate monarch, and they could not believe that a Corsican soldier of fortune would meditate an usurpation, or that France would be for a moment tolerant of his pretensions. The word liberty had, indeed, misled the people of France for a time, but, that illusion being dissipated, their natural love to the royal race would return like a reviving spring, and again run in its old channel.

So general was the belief among this class, that Buonaparte meditated the restoration of the Bourbons, that several agents of the family made their way so far as to sound his own mind upon the subject. Louis himself, afterwards XVIII., addressed to the First Consul a letter of the following tenor:— "You cannot achieve the happiness of France without my restoration, any more than I can ascend the throne which is my right, without your cooperation. Hasten then to complete the good work, which none but you can accomplish, and name the rewards which you claim for your friends."[1]

Buonaparte answered the letter with cold civility. He esteemed the person, he said, and pitied the misfortunes, of his Royal Highness the Compte de Provence, and should be glad to assist him, did an opportunity permit. But as his royal highness could not be restored to France, save at the expense of an hundred thousand lives, it was an enterprise in which he, Buonaparte, must decline to aid him.[2]

A less direct, and more artful course, is said to have been attempted, by the mission of the Duchesse de Guiche, one of the most beautiful and pleasing women of the time, who, obtaining permission to come to Paris under pretext of her private affairs, was introduced at the Tuileries, and delighted Josephine with the elegance of her man-

[1] ["The letter was forwarded to the Consul Lebrun, through the Abbé de Montesquiou. Lebrun was reprimanded for having received a letter from the king through an underhand channel." —Fouché, t. i. p. 155.]

[2] [Las Cases, t. i. p. 271; O'Meara's Napoleon in Exile, v. i. p. 480; Fouché, t. i. p. 154.]

ners.[1] Napoleon did not escape the fascination, but the instant she touched on the subject of politics, the interesting duchesse received an order to quit Paris.

As soon as the Royalists discovered, by the failure of these and similar applications, as well as by the gradual tendency of Buonaparte's measures, that the restoration of the Bourbons was the thing farthest from his purpose, their disappointment exasperated them against the audacious individual, whose single person seemed now the only obstacle to that event. Monarchical power was restored, in spirit at least, if not in form; was it to be endured, the more zealous followers of the Bourbons demanded of each other, that it should become the prize of a military usurper? This party, as well as that of the Jacobins, contained doubtless many adherents, whom the enthusiasm of their political principles disposed to serve their cause, even at the expense

[1] ["The duchess breakfasted with Josephine at Malmaison; and the conversation turning on London, the emigrants, and the French princes, Madame de Guiche mentioned, that as she happened, a few days before, to be at the house of the Count d'Artois, she had heard some persons ask the prince what he intended to do for the first consul in the event of his restoring the Bourbons; and that the prince had replied, 'I would immediately make him constable of the kingdom, and every thing else he might choose. But even that would not be enough: we would raise on the Carrousel a lofty and magnificent column, surmounted with a statue of Buonaparte crowning the Bourbons.' As soon as the first consul entered, Josephine eagerly repeated to him the circumstance which the duchess had related. 'And did you not reply,' said her husband, 'that the corpse of the first consul would have made the pedestal of the column?' The duchess received orders that very night to quit Paris."—Las Cases, t. i. p. 272.]

of great crimes. The sentiments of the princes of the royal family upon such a subject, were becoming their high ranks.[1] They were resolved to combat Buonaparte's pretensions with open force, such as befitted their pretensions as head of the chivalry of France, but to leave to Jacobins the schemes of private assassination. Still there must have been many, among those characters which are found during the miseries and crimes of civil war, who conceived that the assassination of the chief consul would be received as good service when accomplished, although it might not be authorized beforehand. Nay, there may have been partizans zealous enough to take the crime and punishment on themselves, without looking farther than the advantage which their party would receive by the action.

A horrible invention, first hatched, it is said, by the Jacobins,[2] was adopted by certain Royalists of a low description, remarkable as actors in the wars

[1] The opinions of the royal family were nobly expressed in a letter written by the Prince of Condé to the Compte d'Artois, at a later period, 24th January, 1802, which will be hereafter quoted at length.

[2] It is said in the Memoirs of Fouché, (v. i. p. 180,) that the infernal machine was the invention originally of a Jacobin named Chevalier, assisted by Veycer, one of the same party; that they even made an experiment of its power, by exploding an engine of the kind behind the Convent de la Saltpétrière; that this circumstance drew on them the attention of the police, and that they were arrested. It does not appear by what means the Royalists became privy to the Jacobin plot, nor is the story in all its parts very probable; yet it would seem it must be partly true, since the attempt by means of the infernal machine was at first charged upon the Jacobins, in consequence of Chevalier's being known to have had some scheme in agitation, to be executed by similar means in the course of the previous year.

of the Chouans, of whom the leaders were named Carbon and St Regent. It was a machine consisting of a barrel of gunpowder, placed on a cart to which it was strongly secured, and charged with grape-shot so disposed around the barrel, as to be dispersed in every direction by the explosion. The fire was to be communicated by a slow match. It was the purpose of the conspirators, undeterred by the indiscriminate slaughter which such a discharge must occasion, to place the machine in the street through which the First Consul was to go to the opera, having contrived that it should explode, exactly as his carriage should pass the spot; and, strange to say, this stratagem, which seemed as uncertain as it was atrocious, was within a hair's-breadth of success.

On the evening of the 24th December, 1800, Buonaparte has informed us, that though he himself felt a strong desire to remain at home, his wife and one or two intimate friends insisted that he should go to the opera. He was slumbering under a canopy when they awaked him. One brought his hat, another his sword. He was in a manner forced into his carriage, where he again slumbered, and was dreaming of the danger which he had escaped in an attempt to pass the river Tagliamento some years before. On a sudden he awaked amidst thunder and flame.[1]

The cart bearing the engine, which was placed in the street St Nicaise, intercepted the progress of the Chief Consul's coach, which passed it with

[1] [Las Cases, t. i. p. 374.]

some difficnlty. St Regent had fired the match at the appointed instant; but the coachman, who chanced to be somewhat intoxicated, driving unusually fast, the carriage had passed the machine two seconds before the explosion took place; and that almost imperceptible fraction of time was enough to save the life which was aimed at. The explosion was terrible. Two or three houses were greatly damaged—twenty persons killed, and about fifty-three wounded; among the latter was the incendiary St Regent. The report was heard several leagues from Paris. Buonaparte instantly exclaimed to Lannes and Bessières, who were in the carriage, "We are blown up!" The attendants would have stopped the coach, but with more presence of mind he commanded them to drive on, and arrived in safety at the opera;[1] his coachman during the whole time never discovering what had happened, but conceiving the consul had only received a salute of artillery.[2]

A public officer, escaped from such a peril, became an object of yet deeper interest than formerly to the citizens in general; and the reception of the consul at the opera, and elsewhere, was more enthusiastic than ever. Relief was ostentatiously distributed amongst the wounded, and the relatives of the slain; and every one, shocked with the wild

[1] ["I was in the house when the first consul arrived. On entering his box, as usual, he took the front seat; and as all eyes were fixed upon him, he affected the greatest calm."—Bourrienne.]

[2] [Las Cases, t. i. p. 374; Fouché, t. i. p. 184; Savary, t. i. p. 227.]

atrocity of such a reckless plot, became, while they execrated the perpetrators, attached in proportion to the object of their cruelty. A disappointed conspiracy always adds strength to the government against which it is directed; and Buonaparte did not fail to push this advantage to the uttermost.

Notwithstanding that the infernal machine (for so it was not unappropriately termed) had in fact been managed by the hands of Royalists, the first suspicion fell on the Republicans; and Buonaparte took the opportunity, before the public were undeceived on the subject, of dealing that party a blow, from the effects of which they did not recover during his reign. An arbitrary decree of the Senate was asked and readily obtained for the transportation beyond seas of nearly one hundred and thirty of the chiefs of the broken faction of the Jacobins, among whom were several names which belonged to the celebrated Reign of Terror, and had figured in the rolls of the National Convention. These men were so generally hated, as connected with the atrocious scenes during the reign of Robespierre, that the unpopularity of their characters excused the irregularity of the proceedings against them, and their fate was viewed with complacency by many, and with indifference by all. In the end, the First Consul became so persuaded of the political insignificance of these relics of Jacobinism, (who, in fact, were as harmless as the fragments of a bomb-shell after its explosion,) that the decree of deportation was never enforced against them; and Felix Lepelletier Chaudieu, Talot, and

their companions, were allowed to live obscurely in France, watched closely by the police, and under the condition that they should not venture to approach Paris.[1]

The actual conspirators were proceeded against with severity. Chevalier and Veycer, Jacobins, said to have constructed the original model of the infernal machine, were tried before a military commission, condemned to be shot, and suffered death accordingly.

Arena, Ceracchi, Topino-Lebrun, and Demerville, were tried before the ordinary court of criminal judicature, and condemned by the voice of a jury; although there was little evidence against them, save that of their accomplice Harel, by whom they had been betrayed. They also were executed.

At a later period, Carbon and St Regent, Royalists, the agents in the actual attempt of 24th December, were also tried, condemned, and put to death. Some persons tried for the same offence were acquitted; and justice seems to have been distributed with an impartiality unusual in France since the Revolution.

But Buonaparte did not design that the consequences of these plots should end with the deaths of the wretches engaged in them. It afforded an opportunity not to be neglected to advance his principal object, which was the erection of France into a despotic kingdom, and the possessing himself of uncontrolled power over the lives, proper-

[1] [Montgaillard, t. v. p. 414; Fouché, t. i. p. 191.]

ties, thoughts, and opinions, of those who were born his fellow-subjects, and of whom the very meanest but lately boasted himself his equal. He has himself expressed his purpose respecting the Constitution of the year Eight, or Consular Government, in words dictated to General Gourgaud:—

"The ideas of Napoleon were fixed; but the aid of time and events were necessary for their realization. The organization of the Consulate had presented nothing in contradiction to them; it taught unanimity, and that was the first step. This point gained, Napoleon was quite indifferent as to the form and denominations of the several constituted bodies. He was a stranger to the Revolution. It was natural that the will of these men, who had followed it through all its phases, should prevail in questions as difficult as they were abstract. The wisest plan was to go on from day to day—by the polar star by which Napoleon meant to guide the Revolution to the haven he desired."[1]

If there is any thing obscure in this passage, it received but too luminous a commentary from the course of Buonaparte's actions; all of which tend to show that he embraced the Consular government as a mere temporary arrangement, calculated to prepare the minds of the French nation for his ulterior views of ambition, as young colts are ridden with a light bridle until they are taught by degrees to endure the curb and bit, or as water-fowl taken

[1] [Gourgaud, t. i. p. 154.]

in a decoy are first introduced within a wider circuit of nets, in order to their being gradually brought within that strict enclosure where they are made absolute prisoners. He tells us in plain terms, he let the revolutionary sages take their own way in arranging the constitution; determined, without regarding the rules they laid down on the chart, to steer his course by one fixed point to one desired haven. That polar star was his own selfish interest—that haven was despotic power. What he considered as most for his own interest, he was determined to consider as the government most suited for France also. Perhaps he may have persuaded himself that he was actually serving his country as well as himself; and, indeed, justly considered, he was in both instances equally grievously mistaken.

With the views which he entertained, the chief consul regarded the conspiracies against his life as affording a pretext for extending his power too favourable to be neglected. These repeated attacks on the Head of the state made it desirable that some mode should be introduced of trying such offences, briefer and more arbitrary than the slow forms required by ordinary jurisprudence. The prompt and speedy justice to be expected from a tribunal freed from the ordinary restraint of formalities and justice, was stated to be more necessary on account of the state of the public roads, infested by bands called Chauffeurs, who stopped the public carriages, intercepted the communications of commerce, and became so formidable, that no public coach was permitted to leave Paris without a mili-

tary guard of at least four soldiers on the roof. This was used as a strong additional reason for constituting a special court of judicature.

Buonaparte could be at no loss for models of such an institution. As hero of the Revolution, he had succeeded to the whole arsenal of revolutionary weapons forged in the name of Liberty, to oppress the dearest rights of humanity. He had but to select that which best suited him, and to mould it to the temper of the times. The country which had so long endured the Revolutionary Tribunal, was not likely to wince under any less stern judicature.

The court which Government now proposed to establish, was to consist of eight members thus qualified. 1. The president and two judges of the ordinary criminal tribunal. 2. Three military men, bearing at least the rank of a captain. 3. Two citizens, to be suggested by Government, who should be selected from such as were by the constitution qualified to act as judges. Thus five out of eight judges were directly named by the Government for the occasion. The court was to decide without jury, without appeal, and without revision of any kind. As a boon to the accused, the court were to have at least six members present, and there was to be no casting vote; so that the party would have his acquittal, unless six members out of eight, or four members out of six, should unite in finding him guilty; whereas in other courts, a bare majority is sufficient for condemnation.

With this poor boon to public opinion, the special Commission Court was to be the jurisdiction

before whom armed insurgents, conspirators, and in general men guilty of crimes against the social compact, were to undergo their trial.

The counsellor of state, Portalis, laid this plan before the Legislative Body, by whom it was, according to constitutional form, referred to the consideration of the Tribunate. It was in this body, the only existing branch of the constitution where was preserved some shadow of popular forms and of free debate, that those who continued to entertain free sentiments could have any opportunity of expressing them. Benjamin Constant, Daunon, Chenier, and others, the gleanings as it were of the liberal party, made an honourable but unavailing defence against this invasion of the constitution, studying at the same time to express their opposition in language and by arguments least likely tc give offence to the Government. To the honour of the Tribunate, which was the frail but sole remaining barrier of liberty, the project had nearly made shipwreck, and was only passed by a small majority of forty-nine over forty-one. In the Legislative Body there was also a strong minority.[1] It seemed as if the friends of liberty, however deprived of direct popular representation, and of all the means of influencing public opinion, were yet determined to maintain an opposition to the First Consul, somewhat on the plan of that of England.

Another law, passed at this time, must have had a cooling effect on the zeal of some of these patriots. It was announced that there were a set of persons,

[1] [Montgaillard, t. v. p. 422; Fouché t. i. p. 196.]

who were to be regarded rather as public enemies than as criminals, and who ought to be provided against rather by anticipating and defeating their schemes than by punishing their offences. These consisted of Republicans, Royalists, or any others entertaining, or supposed to entertain, opinions inimical to the present state of affairs; and the law now passed entitled the government to treat them as suspected persons, and as such, to banish them from Paris or from France. Thus was the Chief Consul invested with full power over the personal liberty of every person whom he chose to consider as the enemy of his government.

Buonaparte was enabled to avail himself to the uttermost of the powers which he had thus extracted from the constitutional bodies, by the frightful agency of the police. This institution may, even in its mildest form, be regarded as a necessary evil; for although, while great cities continue to afford obscure retreats for vice and crime of every description, there must be men, whose profession it is to discover and bring criminals to justice, as while there are vermin in the animal world, there must be kites and carrion-crows to diminish their number; yet, as the excellence of these guardians of the public depends in a great measure on their familiarity with the arts, haunts, and practices of culprits, they cannot be expected to feel the same horror for crimes, or criminals, which is common to other men. On the contrary, they have a sympathy with them of the same kind which hunters entertain for the game which is the object of their pursuit. Besides, as much of their business is car-

ried on by the medium of spies, they must be able to personate the manners and opinions of those whom they detect; and are frequently induced, by their own interest, to direct, encourage, nay suggest crimes, that they may obtain the reward due for conviction of the offenders.

Applied to state offences, the agency of such persons, though sometimes unavoidable, is yet more frightfully dangerous. Moral delinquencies can be hardly with any probability attributed to worthy or innocent persons; but there is no character so pure, that he who bears it may not be supposed capable of entertaining false and exaggerated opinions in politics, and, as such, become the victim of treachery and delation. In France, a prey to so many factions, the power of the police had become overwhelming; indeed, the very existence of the government seemed in some measure dependent upon the accuracy of their intelligence; and for this purpose their numbers had been enlarged, and their discipline perfected, under the administration of the sagacious and crafty Fouché. This remarkable person had been an outrageous Jacobin, and dipped deep in the horrors of the revolutionary government[1]—an adherent of Barras, and a partaker in the venality and peculation which characterised that period. He was, therefore, totally without principle; but his nature was not of that last degree of depravity, which delights in evil for its own sake, and his good sense told him, that an unnecessary crime was a political blunder. The

[1] [See *ante*, p. 69, and vol. ii. p. 182, 184.]

lenity with which he exercised his terrible office, when left in any degree to his own discretion, while it never prevented his implicit execution of Buonaparte's commands, made the abominable system over which he presided to a certain extent endurable; and thus even his good qualities, while they relieved individual suffering, were of disservice to his country, by reconciling her to bondage.

The *haute police*, as it is called by the French, meaning that department which applies to politics and state affairs, had been unaccountably neglected by the ministers of Louis XVI., and was much disorganized by the consequences of the Revolution. The demagogues of the Convention had little need of a regular system of the kind. Every affiliated club of Jacobins supplied them with spies, and with instruments of their pleasure. The Directory stood in a different situation. They had no general party of their own, and maintained their authority, by balancing the Moderates and Democrats against each other. They, therefore, were more dependent upon the police than their predecessors, and they intrusted Fouché with the superintendence. It was then that, destroying, or rather superseding, the separate offices where the agents of the police pretended to a certain independence of acting, he brought the whole system to concentrate within his own cabinet. By combining the reports of his agents, and of the various individuals with whom under various pretexts he maintained correspondence, the minister of police arrived at so accurate a knowledge of the purpose, disposition, adherents, and tools of the different parties in France, that he

could anticipate their mode of acting upon all occasions that were likely to occur, knew what measures were likely to be proposed, and by whom they were to be supported; and when any par ticular accident took place, was able, from his previous general information, to assign it to the real cause, and the true actors.

An unlimited system of espial, and that stretching through society in all its ramifications, was necessary to the perfection of this system, which had not arrived to its utmost height, till Napoleon ascended the throne. Still, before his reign, it existed all through France, controlling the most confidential expressions of opinion on public affairs, and, like some mephitic vapour, stifling the breath though it was invisible to the eye, and, by its mysterious terrors, putting a stop to all discussion of public measures, which was not in the tone of implicit approbation.

The expense of maintaining this establishment was immense; for Fouché comprehended amongst his spies and informers, persons whom no ordinary gratuity would have moved to act such a part. But this expense was provided for by the large sums which the minister of police received for the toleration yielded to brothels, gambling-houses, and other places of profligacy, to whom he granted licenses, in consideration of their observing certain regulations. His system of espial was also extended, by the information which was collected in these haunts of debauchery; and thus the vices of the capital were made to support the means by which it was subjected to a despotic government. His

auto-biography contains a boast, that the private secretary of the Chief Consul was his pensioner,[1] and that the lavish profusion of Josephine made even her willing to exchange intelligence concerning the Chief Consul's views and plans.[2] Thus was Fouché not only a spy upon the people in behalf of Buonaparte, but a spy also on Buonaparte himself.

Indeed, the power of the director of this terrible enginery was so great, as to excite the suspicion of Napoleon, who endeavoured to counterbalance it by dividing the department of police into four distinct offices. There were established, 1st, The military police of the palace, over which Duroc, the grand master of the household, presided. 2d, The police maintained by the inspector of the gendarmes. 3d, That exercised over the city of Paris by the prefect. 4th, The general police, which still remained under the control of Fouché. Thus, the First Consul received every day four reports of police, and esteemed himself secure of learning, through some one of them, information which the others might have an interest in concealing.[3]

The agents of these different bodies were frequently unknown to each other; and it often hap-

[1] ["Bourrienne offered to inform me exactly of all the proceedings of Buonaparte for 25,000 francs per month. The proposal was accepted, and, on my side, I had reason to be satisfied with his dexterity and accuracy. This personage was replete with ability and talent, but his greediness of gain very shortly caused his disgrace."—FOUCHÉ, t. i. p. 163.]

[2] ["Josephine, in conformity to our conditions, cemented by a thousand francs per day, instructed me in all that passed in the interior of the castle."—*Ibid*, t. i. p. 154.]

[3] [*Ibid*, t. i. p. 165.]

pened, that when, in the exercise of their office, they were about to arrest some individual who had incurred suspicion, they found him protected against them, by his connexion with other bureaux of police. The system was, therefore, as complicated as it was oppressive and unjust; but we shall have such frequent opportunity to refer to the subject, that we need here only repeat, that, with reference to his real interest, it was unfortunate for Buonaparte that he found at his disposal so ready a weapon of despotism as the organized police, wielded by a hand so experienced as that of Fouché.

It was the duty of the police to watch the progress of public opinion, whether it was expressed in general society, and confidential communication, or by the medium of the press. Buonaparte entertained a feverish apprehension of the effects of literature on the general mind, and in doing so acknowledged the weak points in his government. The public journals were under the daily and constant superintendence of the police, and their editors were summoned before Fouché when any thing was inserted which could be considered as disrespectful to his authority. Threats and promises were liberally employed on such occasions, and such journalists as proved refractory, were soon made to feel that the former were no vain menaces. The suppression of the offensive newspaper was often accompanied by the banishment or imprisonment of the editor. The same measure was dealt to authors, booksellers, and publishers, respecting

whom the jealousy of Buonaparte amounted to a species of disease.[1]

No one can be surprised that an absolute government should be disposed to usurp the total management of the daily press, and such other branches of literature as are immediately connected with politics; but the interference of Buonaparte's police went much farther, and frequently required from those authors who wrote only on general topics, some express recognisance of his authority. The ancient Christians would not attend the theatre, because it was necessary that, previous to enjoying the beauties of the scene, they should sacrifice some grains of incense to the false deity, supposed to preside over the place. In like manner, men of generous minds in France were often obliged to suppress works on subjects the most alien to politics, because they could not easily obtain a road to the public unless they consented to recognise the right of the individual who had usurped the supreme authority, and extinguished the liberties of his country. The circumstances which subjected Madame de Staël to a long persecution by the police of Buonaparte, may be quoted as originating in this busy desire, of connecting his government with the publications of all persons of genius.

[1] ["How," exclaims Fouché, "could I possibly reform the state, while the press had too much liberty? I therefore determined upon a decisive blow. At one stroke I suppressed eleven popular journals. I caused their presses to be seized, and arrested their editors, whom I accused of sowing dissension among the citizens, of blasting private character, misrepresenting motives, reanimating factions, and rekindling animosities."—*Mémoires*, t. i. p. 81.]

We have been already led to notice, that there existed no cordiality betwixt Buonaparte and the gifted daughter of Necker. Their characters were far from suited to each other. She had manifestly regarded the First Consul as a subject of close and curious observation, and Buonaparte loved not that any one should make him the subject of minute scrutiny. Madame de Staël was the centre also of a distinguished circle of society in France, several of whom were engaged to support the cause *of* liberty; and the resolution of a few members of the Tribunate, to make some efforts to check the advance of Buonaparte to arbitrary power, was supposed to be taken in her saloon, and under her encouragement. For this she was only banished from Paris.[1] But when she was about to publish her excellent and spirited book on German manners and literature, in which, unhappily, there was no mention of the French nation, or its supreme chief, Madame de Staël's work was seized by the police, and she was favoured with a line from Savary, acquainting her that the air of France did not suit her health, and inviting her to leave it with all convenient speed.[2] While in exile from Paris,

[1] [Considerations sur la Révolution Française, t. ii. p. 301.]

[2] ["Madame de Staël had not been banished; but she was ordered to a distance from the capital. She has, no doubt, been told, that Napoleon had, of his own accord, ordered her banishment; but this was by no means the case. I know in what manner the circumstance originated, and can safely assert, that when he forced her from her attachment to the world, and ordered her to retire into the country, he only yielded to the repeated entreaties, and the unfavourable reports made to him; for, it must be acknowledged, that he paid far too much deference

which she accounted her country, the worthy Prefect of Geneva suggested a mode by which she might regain favour. An ode on the birth of the King of Rome, was recommended as the means of conciliation. Madame de Staël answered, she should limit herself to wishing him a good nurse; and became exposed to new rigours, even extending to the friends who ventured to visit her in her exile. So general was the French influence all over Europe, that to shelter herself from the persecutions by which she was every where followed, she was at length obliged to escape to England, by the remote way of Russia. Chenier, author of the Hymn of the Marseillois, though formerly the panegyrist of General Buonaparte, became, with other literary persons who did not bend low enough to his new dignity, objects of persecution to the First Consul. The childish pertinacity with which Napoleon followed up such unreasonable piques, belongs indeed, chiefly, to the history of the Emperor, but it showed its blossoms earlier. The power of indulging such petty passions, goes, in a great measure, to foster and encourage their progress; and in the case of Buonaparte, this power, great in itself, was increased by the dangerous facilities which the police offered, for gratifying the spleen, or the revenge, of the offended sovereign.

to her notions of self-consequence, and to her work on Germany. She assumed the right to advise, foresee, and control, in matters in which the Emperor felt himself fully qualified to act upon his own judgment. To get rid of the annoyance, he sent her to distribute her advice at a distance from him."—SAVARY, t. iii. p. 4.]

Another support of a very different kind, and grounded on the most opposite principles, was afforded to the rising power of Napoleon, through the re-establishment of religion in France, by his treaty with the Pope, called the Concordat. Two great steps had been taken towards this important point, by the edict opening the churches, and renewing the exercise of the Christian religion, and by the restoration of the Pope to his temporal dominions, after the battle of Marengo. The further objects to be attained were the sanction of the First Consul's government by the Pontiff on the one hand, and, on the other, the re-establishment of the rights of the church in France, so far as should be found consistent with the new order of things.

This important treaty was managed by Joseph Buonaparte, who, with three colleagues, held conferences for that purpose with the plenipotentiaries of the Pope. The ratifications were exchanged on the 18th of September, 1801; and when they were published, it was singular to behold how submissively the once proud See of Rome lay prostrated before the power of Buonaparte, and how absolutely he must have dictated all the terms of the treaty. Every article innovated on some of those rights and claims, which the Church of Rome had for ages asserted as the unalienable privileges of her infallible head.

I. It was provided, that the Catholic religion should be freely exercised in France, acknowledged as the national faith, and its service openly practised, subject to such regulations of police as the French

Government should judge necessary. II. The Pope, in concert with the French Government, was to make a new division of dioceses, and to require of the existing bishops even the resignation of their sees, should that be found necessary to complete the new arrangement. III. The sees which should become vacant by such resignation, or by deprivation, in case a voluntary abdication was refused, as also all future vacancies, were to be filled up by the Pope, on nominations proceeding from the French Government. IV. The new bishops were to take an oath of fidelity to the Government, and to observe a ritual, in which there were to be especial forms of prayer for the consuls. V. The church-livings were to undergo a new division, and the bishops were to nominate to them, but only such persons as should be approved by the Government. VI. The Government was to make suitable provision for the national clergy, while the Pope expressly renounced all right competent to him and his successors, to challenge or dispute the sales of church property which had been made since the Revolution.[1]

Such was the celebrated compact, by which Pius VII. surrendered to a soldier, whose name was five or six years before unheard of in Europe, those high claims to supremacy in spiritual affairs, which his predecessors had maintained for so many ages against the whole potentates of Europe. A puritan might have said of the power seated on the Seven Hills—"Babylon is fallen,—it is fallen that great city!" The more rigid Catholics were of the same

[1] [For a copy of the treaty, see *Annual Register*, vol. xliii. p. 302.]

opinion. The Concordat, they alleged, showed rather the abasement of the Roman hierarchy than the re-erection of the Gallic church.

The proceedings against the existing bishops of France, most of whom were of course emigrants, were also but little edifying. Acting upon the article of the Concordat already noticed, and caused, as the letter[1] itself states, "by the exigencies of the times, which exercises its violence even on us," the Pope required of each of these reverend persons, by an especial mandate, to accede to the compact, by surrendering his see, as therein provided. The order was peremptory in its terms, and an answer was demanded within fifteen days. The purpose of this haste was to prevent consultation or combination, and to place before each bishop, individually, the choice of compliance, thereby gaining a right to be provided for in the new hierarchy; or of refusal, in which case the Pope would be obliged to declare the see vacant, in conformity to his engagement with Buonaparte.

The bishops in general declined compliance with a request, which, on the part of the Pope, was evidently made by compulsion. They offered to lay their resignation at his holiness's feet, so soon as they should be assured that there was regular canonical provision made for filling up their sees; but they declined, by any voluntary act of theirs, to give countenance to the surrender of the rights of the church implied in the Concordat, and preferred exile and poverty to any provision which

[1] [The Pope's Brief to the Archbishops and Bishops of France. See *Annual Register*. v. xliii. p. 308.]

they might obtain, by consenting to compromise the privileges of the hierarchy. These proceedings greatly increased the unpopularity of the Concordat among the more zealous Catholics.

Others of that faith there were, who, though they considered the new system as very imperfect, yet thought it might have the effect of preserving in France some sense of the Christian religion, which, under the total disuse of public worship, stood a chance of being entirely extinguished in the minds of the rising generation. They remembered, that though the Jews in the days of Esdras shed tears of natural sorrow when they beheld the inferiority of the second Temple, yet Providence had sanctioned its erection, under the warrant, and by permission, of an unbelieving task-master. They granted, that the countenance shown by Buonaparte to the religious establishment, was entirely from motives of self-interest; but still they hoped that God, who works his own will by the selfish passions of individuals, was now using those of the First Consul to recall some sense of religion to France; and they anticipated that religion, as the best friend of all that is good and graceful in humanity, was likely, in course of time, to bring back and encourage a sense of rational liberty.

The revolutionary part of France beheld the Concordat with very different eyes. The Christian religion was, as to the Jews and Greeks of old, a stumbling-block to the Jacobins, and foolishness to the philosophers. It was a system which they had attacked with a zeal even as eager as that which they had directed against monarchical insti-

tutions; and in the restoration of the altar, they foresaw the re-erection of the throne. Buonaparte defended himself among the philosophers, by comparing his Concordat to a sort of vaccination of religion, which, by introducing a slighter kind into the system of the state, would gradually prepare for its entire extinction.[1]

In the mean time, he proceeded to renew the ancient league betwixt the church and crown, with as much solemnity as possible. Portalis[2] was created minister of religion, a new office, for managing the affairs of the church. He had deserved this preferment, by a learned and argumentative speech to the Legislative Body, in which he proved to the French statesmen, (what in other countries is seldom considered as matter of doubt,) that the exercise of religion is congenial to human nature, and worthy of being cherished and protected by the state. The Concordat was inaugurated at Notre Dame, [April 1802,] with the utmost magnificence. Buonaparte attended in person, with all the badges and pomp of royalty, and in the style resembling as nearly as possible that of the former Kings of

[1] [" One day he assured the prelates, that, in his opinion, there was no religion but the Catholic, which was truly founded on ancient tradition; and on this subject he usually displayed to them some erudition acquired the day before: then, when he was with the philosophers, he said to Cabanis, 'Do you know what this Concordat is which I have just signed? It is the vaccination of religion, and in fifty years there will be none in France.'"—MAD. DE STAËL, t. ii. p. 275.]

[2] [Jean-Etienne-Marie Portalis was born at Beausset in 1746. He died at Paris in 1807. A posthumous treatise. "Sur l'Usage et l'Abus de l'Esprit Philosophique, pendant le 18e Siècle," was published in 1820, by his son.]

France. The Archbishop of Aix was appointed to preach upon the occasion, being the very individual prelate who had delivered the sermon upon the coronation of Louis XVI. Some address, it was said, was employed to procure the attendance of the old republican generals. They were invited by Berthier to breakfast, and thence carried to the First Consul's levee; after which it became impossible for them to decline attending him to the church of Notre Dame.[1] As he returned from the ceremony, surrounded by these military functionaries, Buonaparte remarked with complacency, that the former order of things was fast returning. One of his generals boldly answered,—"Yes!—all returns—excepting the two millions of Frenchmen, who have died to procure the proscription of the very system now in the act of being restored."[2]

It is said that Buonaparte, when he found the Pope and the clergy less tractable than he desired, regretted having taken the step of re-establishing religion, and termed the Concordat the greatest error of his reign. But such observations could only escape him in a moment of pique or provoca-

[1] [Fouche, t. i. p. 225.]

[2] [Mad. de Staël, t. ii. p. 278; Montgaillard, t. v. p. 443. "On the way from the Tuileries to Notre Dame, Lannes and Augereau wished to get out of the carriage on finding that they were to be carried to mass; and would have done so, had not an order from Buonaparte prevented them. They went then to Notre Dame; but on the morrow, when the Consul asked Augereau how he liked the ceremony, he replied, 'Oh, all was very fine; there only wanted the million of men who devoted themselves to death, in order to destroy what we are now establishing.' Buonaparte was much irritated at this observation."—Bourrienne.]

tion. He well knew the advantage which a government must derive from a national church, which recognises them in its ritual; and at Saint Helena, he himself at once acknowledged the advantage of his compact with the Pope as a measure of state, and his indifference to it in a religious point of view. "I never regretted the Concordat," he said. "I must have had either that or something equivalent. Had the Pope never before existed, he should have been made for the occasion."[1]

The First Consul took care, accordingly, to make his full advantage of the Concordat, by introducing his own name as much as possible into the catechism of the church, which, in other respects, was that drawn up by Bossuet. To honour Napoleon. the catechumen was taught, was the same as to honour and serve God himself—to oppose his will, was to incur the penalty of eternal damnation.[2]

In civil affairs, Buonaparte equally exerted his talents, in connecting the safety and interests of the nation with his own aggrandisement. He had already laughed at the idea of a free constitution. "The only free constitution necessary," he said, "or useful, was a good civil code;" not considering, or choosing to have it considered, that the best system of laws, when held by no better guarantee

[1] [Montholon, t. i. p. 121.]

[2] ["The Concordat was necessary to religion, to the Republic, to government: the temples were shut up, the priests were persecuted. The Concordat rebuilt the altars, put an end to disorders, commanded the faithful to pray for the republic, and dissipated all the scruples of the purchasers of national domains." —Napoleon, *Montholon*, t. i. p. 120.]

than the pleasure of an arbitrary prince and his council of state, is as insecure as the situation of a pearl suspended by a single hair. Let us do justice to Napoleon, however, by acknowledging, that he encountered with manly firmness the gigantic labour of forming a code of institutions, which, supplying the immense variety of provincial laws that existed in the different departments of France, and suppressing the partial and temporary regulations made in the various political crises of the Revolution, were designed to be the basis of a uniform national system. For this purpose, an order of the Consuls convoked Messrs Portalis, Tronchet,[1] Bigot de Préameneu,[2] and Maleville,[3] juris-consults of the highest character, and associated them with the Minister of Justice, Cambacérès, in the task of adjusting and reporting a plan for a general system of jurisprudence. The progress and termination of this great work will be hereafter noticed. The Chief Consul himself took an active part in the deliberations.

An ordinance, eminently well qualified to heal the civil wounds of France, next manifested the talents of Buonaparte, and, as men hoped, his mo-

[1] [Tronchet was a lawyer of great celebrity, and was one of Louis Sixteenth's counsel. See *ante*, vol. ii. p. 67. He died in 1806, and was buried in the Pantheon.]

[2] [Bigot de Préameneu was born in Brittany about the year 1750. In 1808, he succeeded Portalis as minister of public worship, but was removed from office on the restoration of the Bourbons. He died at Paris in 1825.]

[3] [Jacques de Maleville was born at Domme in 1741. In 1804-5, he published "Analyse raisonnée de la Discussion du Code Civile au Conseil-d'état." He was created a peer by Louis XVIII. in 1814, and died in 1825.]

deration. This was the general amnesty granted to the emigrants. A decree of the Senate, 26th April, 1802, permitted the return of these unfortunate persons to France, providing they did so, and took the oath of fidelity to Government, within a certain period. There were, however, five classes of exceptions, containing such as seemed too deeply and strongly pledged to the house of Bourbon, ever to reconcile themselves to the government of Buonaparte. Such were, 1st, Those who had been chiefs of bodies of armed royalists;—2d, Who had held rank in the armies of the allies;—3d, Who had belonged to the household of the princes of the blood;—4th, Who had been agents or encouragers of foreign or domestic war;—5th, The generals and admirals, together with the representatives of the people, who had been guilty of treason against the Republic, together with the prelates, who declined to resign their sees in terms of the Concordat. It was at the same time declared, that not more than five hundred in all should be excepted from the amnesty. Buonaparte truly judged, that the mass of emigrants, thus winnowed and purified from all who had been leaders, exhausted in fortune and wearied out by exile, would in general be grateful for permission to return to France, and passive, nay, contented and attached subjects of his dominion; and the event in a great measure, if not fully, justified his expectations. Such part of their property as had not been sold, was directed to be restored to them;[1] but they were subjected to the

[1] ["At one time I intended to form a mass or a *syndicate* of all the unsold property of the emigrants, and on their return,

special superintendence of the police for the space of ten years after their return.[1]

With similar and most laudable attention to the duties of his high office, Buonaparte founded plans of education,[2] and particularly, with Mongé's assistance, established the Polytechnic school, which has produced so many men of talent. He enquired anxiously into abuses, and was particularly active in correcting those which had crept into the prisons during the Revolution, where great tyranny was exercised by monopoly of provisions, and otherwise.[3] In amending such evils, Buonaparte, though not of kingly birth, showed a mind worthy of the rank to which he had ascended. It is only to be regretted, that in what interfered with his personal wishes or interest, he uniformly failed to manifest the sound and correct views, which on abstract questions he could form so clearly.

to distribute it in certain proportions among them. But when I came to grant property to individuals, I soon found that I was creating too many wealthy men, and that they repaid my favours with insolence."—NAPOLEON, *Las Cases*, t. iii. p. 213.]

[1] [Fouché, t. i. p. 226; Montgaillard, t. v. p. 464.]

[2] [" One of my grand objects was to render education accessible to every one. I caused every institution to be formed upon a plan which offered instruction to the public, either gratis, or at a rate so moderate, as not to be beyond the means of the peasant. The museums were thrown open to the *canaille*. My *canaille* would have become the best educated in the world. All my exertions were directed to illuminate the mass of the nation, instead of brutifying them by ignorance and superstition."—NAPOLEON, *O'Meara*, v. ii. p. 385.]

[3] [" At the time of my downfall, the state prisons contained two hundred and fifty individuals, and I found nine thousand in them, when I became Consul."—NAPOLEON, *Las Cases*, t. v. p. 56.]

Other schemes of a public character were held out as occupying the attention of the Chief Consul. Like Augustus, whose situation his own in some measure resembled, Napoleon endeavoured, by the magnificence of his projects for the improvement of the state, to withdraw attention from his inroads upon public freedom. The inland navigation of Languedoc was to be completed, and a canal, joining the river Yonne to the Saonne, was to connect the south part of the Republic so completely with the north, as to establish a communication by water between Marseilles and Amsterdam. Bridges were also to be built, roads to be laid out and improved, museums founded in the principal towns of France, and many other public labours undertaken, on a scale which should put to shame even the boasted days of Louis XIV. Buonaparte knew the French nation well, and was aware that he should best reconcile them to his government, by indulging his own genius for bold and magnificent undertakings, whether of a military or a civil character.

But although these splendid proposals filled the public ear, and flattered the national pride of France, commerce continued to languish, under the effects of a constant blockade, provisions became dear, and discontent against the Consulate began to gain ground over the favourable sentiments which had hailed its commencement. The effectual cure for these heart-burnings was only to be found in a general peace; and a variety of circumstances, some of them of a character very unpleasing to the First Consul, seemed gradually preparing for this desirable event.

CHAPTER XXII.

Return to the external Relations of France.—Her universal Ascendency.—Napoleon's advances to the Emperor Paul.—Plan of destroying the British Power in India.—Right of Search at Sea.—Death of Paul.—Its effects on Buonaparte.—Affairs of Egypt.—Assassination of Kleber.—Menou appointed to succeed him.—British Army lands in Egypt.—Battle and Victory of Alexandria.—Death of Sir Ralph Abercromby.—General Hutchinson succeeds him.—The French General Belliard capitulates—as does Menou.—War in Egypt brought to a victorious Conclusion.

HAVING thus given a glance at the internal affairs of France during the commencement of Buonaparte's domination, we return to her external relations, which, since the peace of Luneville, had assumed the appearance of universal ascendency, so much had the current of human affairs been altered by the talents and fortunes of one man. Not only was France in secure possession, by the treaty of Luneville, of territories extending to the banks of the Rhine, but the surrounding nations were, under the plausible names of protection or alliance, as submissive to her government as if they had made integral parts of her dominions. Holland, Switzerland, and Italy, were all in a state of subjection to her will; Spain, like a puppet, moved

but at her signal; Austria was broken-spirited and dejected; Prussia still remembered her losses in the first revolutionary war; and Russia, who alone could be considered as unmoved by any fear of France, was yet in a situation to be easily managed, by flattering and cajoling the peculiar temper of the Emperor Paul.

We have already observed, that Buonaparte had artfully availed himself of the misunderstanding between Austria and Russia, to insinuate himself into the good graces of the Czar. The disputes between Russia and England gave him still further advantages over the mind of that incautious monarch.

The refusal of Britain to cede the almost impregnable fortress of Malta, and with it the command of the Mediterranean, to a power who was no longer friendly, was aggravated by her declining to admit Russian prisoners into the cartel of exchange betwixt the French and British. Buonaparte contrived to make his approaches to the Czar in a manner calculated to bear upon both these subjects of grievance. He presented to Paul, who affected to be considered as the Grand Master of the Order of St John of Jerusalem, the sword given by the Pope to the heroic John de la Valette, who was at the head of the Order during the celebrated defence of Malta against the Turks.[1] With the same view of placing his own conduct in a favourable contrast with that of Great Britain, he new-clothed and armed eight or nine thousand

[1] [Gourgaud, t. ii. p. 131.]

Russian prisoners, and dismissed them freely, in token of his personal esteem for the character of the Emperor.

A more secret and scandalous mode of acquiring interest is said to have been attained, through the attachment of the unfortunate prince to a French actress of talents and beauty, who had been sent from Paris for the express purpose of acquiring his affections. From these concurring reasons, Paul began now openly to manifest himself as the warm friend of France, and the bitter enemy of Britain. In the former capacity, he had the weak and unworthy complaisance to withdraw the hospitality which he had hitherto afforded to the relics of the royal family of Bourbon, who were compelled to remove from Mittau, where they had been hitherto permitted to reside.

To gratify his pique against England, Paul gave hearing at least to a magnificent scheme, by which Buonaparte proposed to accomplish the destruction of the British power in India, which he had in vain hoped to assail by the possession of Egypt. The scheme was now to be effected by the union of the French and Russian troops, which were to force their way to British India overland, through the kingdom of Persia; and a plan of such a campaign was seriously in agitation. Thirty-five thousand French were to descend the Danube into the Black sea; and then, being wafted across that sea and the sea of Azof, were to march by land to the banks of the Wolga. Here they were again to be embarked, and descend the river to Astracan, and from thence were to cross the Caspian sea to Astra-

bad, where they were to be joined by a Russian army, equal in force to their own. It was thought that, marching through Persia by Herat, Ferah, and Candahar, the Russo-Gallic army might reach the Indus in forty-five days from Astrabad. This gigantic project would scarce have been formed by any less daring genius than Napoleon; nor could any prince, with a brain less infirm than Paul's, have agreed to become his tool in so extraordinary an undertaking, from which France was to derive all the advantage.[1]

A nearer mode of injuring the interests of England than this overland march to India, was in the power of the Emperor of Russia. A controversy being in dependence betwixt England and the northern courts, afforded the pretext for throwing his weight into the scale against her at this dangerous crisis.

The right of search at sea, that is, the right of stopping a neutral or friendly vessel, and taking out of her the goods belonging to an enemy, is acknowledged in the earliest maritime codes. But England, by her naval superiority, had been enabled to exert this right so generally, that it became the subject of much heart-burning to neutral powers. The association of the Northern states in 1780, known by the name of the Armed Neutrality, had for its object to put down this right of search, and establish the maxim that free bottoms made free goods; in other words, that the neutral character of the vessel should protect whatever pro-

[1] [Las Cases, t. iii. p. 248; O'Meara, v. i. p. 381.]

perty she might have on board. This principle was now anxiously reclaimed by France, as the most effective argument for the purpose of irritating the neutral powers against Great Britain, whose right of search, which could not be exercised without vexation and inconvenience to their commerce, must necessarily be unpopular amongst them. Forgetting that the danger occasioned by the gigantic power of France was infinitely greater than any which could arise from the maritime claims of England, the northern courts became again united on the subject of what they termed the freedom of the seas. Indeed, the Emperor Paul, even before the offence arising out of his disappointment respecting Malta, had proceeded so far as to sequestrate all British property in his dominions, in resentment of her exercising the right of search. But upon the fresh provocation which he conceived himself to have received, the Emperor became outrageous, and took the most violent measures for seizing the persons and property of the English, that ever were practised by an angry and unreasonable despot.

Prussia, more intent on her own immediate aggrandisement, than mindful of the welfare of Europe in general, took advantage of the universal ill-will against England, to seize upon the King's continental dominions of Hanover, with peculiar breach of public faith, as she herself had guaranteed the neutrality of that country.

The consequences, with regard to the northern powers, are well known. The promptitude of the

administration sent a strong fleet to the Baltic; and the well-contested battle of Copenhagen detached Denmark from the Northern Confederacy. Sweden had joined it unwillingly; and Russia altered her course of policy in consequence of the death of Paul. That unhappy prince had surmounted the patience of his subjects, and fell a victim to one of those conspiracies, which in arbitrary monarchies, especially such as partake of the Oriental character, supply all the checks of a moderate and free constitution, where the prerogative of the crown is limited by laws. In these altered circumstances, the cause of dispute was easily removed, by the right of search being subjected to equitable regulations and modifications.

Buonaparte received the news of Paul's death with much more emotion than he was usually apt to testify. It is said, that, for the first time in his life, a passionate exclamation of "*Mon Dieu!*" escaped him, in a tone of sorrow and surprise. With Paul's immense power, and his disposition to place it at the disposal of France, the First Consul doubtless reckoned upon the accomplishment of many important plans which his death disconcerted. It was natural, also, that Napoleon should be moved by the sudden and violent end of a prince, who had manifested so much admiration of his person and his qualities. He is said to have dwelt so long on the strangeness of the incident, that Fouché was obliged to remind him, that it was a mode of changing a chief magistrate, or a course

of administration, which was common to the empire in which it took place.[1]

The death of Paul, so much regretted by Buonaparte, was nevertheless the means of accelerating a peace between France and Great Britain, which, if it could have been established on a secure basis, would have afforded him the best chance of maintaining his power, and transmitting it to his posterity. While the Czar continued to be his observant ally, there was little prospect that the First Consul would be moderate enough in the terms which he might have proffered, to permit the British Ministry to treat with him.

Another obstacle to peace was at this time removed, in a manner not more acceptable to Buonaparte than was the death of the Emperor Paul. The possession of Egypt by the French was a point which the First Consul would have insisted upon from strong personal feeling. The Egyptian expedition was intimately connected with his own personal glory, nor was it likely that he would have sacrificed its results to his desire of peace with Great Britain. On the other hand, there was no probability that England would accede to any arrangement which should sanction the existence of a French colony, settled in Egypt with the ex-

[1] "Mais enfin, que voulez vous ? C'est une mode de destitution propre à ce pais-là !" ["I told him, that whatever might be the mode of deposition practised in Russia, luckily the south of Europe was a stranger to such treacherous habits and attempts: but my arguments could not convince him; he gave vent to his passion in ejaculations, stampings of the foot, and short fits of rage. I never beheld so striking a scene."—FOUCHÉ, t. i. p. 205.]

press purpose of destroying our Indian commerce. But this obstacle to peace was removed by the fate of arms.

Affairs in Egypt had been on the whole unfavourable to the French, since that army had lost the presence of the commander-in-chief. Kleber, on whom the command devolved, was discontented both at the unceremonious and sudden manner in which the duty had been imposed upon him, and with the scarcity of means left to support his defence. Perceiving himself threatened by a large Turkish force, which was collecting for the purpose of avenging the defeat of the vizier at Aboukir, he became desirous of giving up a settlement which he despaired of maintaining. He signed accordingly a convention with the Turkish plenipotentiaries, and Sir Sidney Smith, on the part of the British, by which it was provided that the French should evacuate Egypt, and that Kleber and his army should be transported to France in safety, without being molested by the British fleet. When the British Government received advice of this convention, they refused to ratify it, on the ground that Sir Sidney Smith had exceeded his powers in entering into it. The Earl of Elgin having been sent out as plenipotentiary to the Porte, it was asserted that Sir Sidney's ministerial powers were superseded by his appointment. Such was the alleged informality on which the treaty fell to the ground; but the truth was, that the arrival of Kleber and his army in the south of France, at the very moment when the successes of Suwarrow gave strong hopes of making some impression on

her frontier, might have had a most material effect upon the events of the war. Lord Keith, therefore, who commanded in the Mediterranean, received orders not to permit the passage of the French Egyptian army, and the treaty of El Arish was in consequence broken off.

Kleber, disappointed of this mode of extricating himself, had recourse to arms. The Vizier Jouseff Pacha, having crossed the desert, and entered Egypt, received a bloody and decisive defeat from the French general, near the ruins of the ancient city of Heliopolis, on the 20th March, 1800. The measures which Kleber adopted after this victory were well calculated to maintain the possession of the country, and reconcile the inhabitants to the French government. He was as moderate in the imposts as the exigencies of his army permitted, greatly improved the condition of the troops, and made, if not peace, at least an effectual truce, with the restless and enterprising Murad Bey, who still continued to be at the head of a considerable body of Mamelukes. Kleber also raised among the Greeks a legion of fifteen hundred or two thousand men; and with more difficulty succeeded in levying a regiment of Copts.

While busied in these measures, he was cut short by the blow of an assassin. A fanatic Turk, called Soliman Haleby, a native of Aleppo, imagined he was inspired by Heaven to slay the enemy of the Prophet and the Grand Seignior. He concealed himself in a cistern, and springing out on Kleber when there was only one man in com-

pany with him, stabbed him dead.[1] The assassin was justly condemned to die by a military tribunal; but the sentence was executed with a barbarity which disgraced those who practised it. Being impaled alive, he survived for four hours in the utmost tortures, which he bore with an indifference which his fanaticism perhaps alone could have bestowed.[2]

The Baron Menou, on whom the command now devolved, was an inferior person to Kleber. He had made some figure amongst the nobles who followed the revolutionary cause in the Constituent Assembly, and was the same general whose want of decision at the affair of the Sections had led to the employment of Buonaparte in his room, and to the first rise, consequently, of the fortunes which had since swelled so high. Menou altered for the worse several of the regulations of Kleber, and, carrying into literal execution what Buonaparte had

[1] [The remains of Kleber were interred with great pomp, and a monument was raised to his memory. Buonaparte evinced sincere regret at the loss of this excellent officer, and caused a medal to be struck upon the occasion, with the words "General Kleber, born in 1753, assassinated at Cairo, the 14th of June, 1800;" and on the reverse, "Surnamed, from his stature and intrepidity, the French Hercules: he braved death a thousand times in the field, and fell under the dagger of an assassin." Kleber and Desaix were Napoleon's favourite lieutenants. "Both," he said, "possessed great and rare virtues, though their characters were very dissimilar. Kleber's was the talent of nature: Desaix's was entirely the result of education and assiduity: Kleber was an irreparable loss to France; he was a man of the brightest talents and the greatest bravery."]

[2] [His body was embalmed and brought by the French savans from Egypt, to be deposited in the museum of natural history at Paris.]

only written and spoken of, he became an actual Mahommedan, married a native Turkish woman, and assumed the name of Abdallah Menou. This change of religion exposed him to the ridicule of the French, while it went in no degree to conciliate the Egyptians.[1]

The succours from France, which Buonaparte had promised in his farewell address to the Egyptian army, arrived slowly, and in small numbers. This was not the fault of the Chief Consul, who had commanded Gantheaume to put to sea with a squadron, having on board four or five thousand men; but being pursued by the English fleet, that admiral was glad to regain the harbour of Toulon. Other efforts were made with the same indifferent success. The French ports were too closely watched to permit the sailing of any expedition on a large scale, and two frigates, with five or six hundred men, were the only reinforcements that reached Egypt.

Mean time the English Cabinet had adopted the daring and manly resolution of wresting from France this favourite colony by force. They had for a length of time confined their military efforts to partial and detached objects, which, if successful, could not have any effect on the general results of the war, and which, when they miscarried, as was the case before Cadiz, Ferrol, and elsewhere, tended to throw ridicule on the plans of the Ministry, and however undeservedly, even upon the

[1] [Montholon, t. i. p. 78; Memoirs of the Duke of Rovigo, v. i. p. 243; Las Cases, t. i. p. 226.]

character of the forces employed on the service. It was by such ill-considered and imperfect efforts that the war was maintained on our part, while our watchful and formidable enemy combined his mighty means to effect objects of commensurate importance. We, like puny fencers, offered doubtful and uncertain blows, which could only affect the extremities; he never aimed, save at the heart, nor thrust, but with the determined purpose of plunging his weapon to the hilt.

The consequence of these partial and imperfect measures was, that even while our soldiers were in the act of gradually attaining that perfection of discipline by which they are now distinguished, they ranked—most unjustly—lower in the respect of their countrymen, than at any other period in our history. The preeminent excellence of our sailors had been shown in a thousand actions; and it became too usual to place it in contrast with the failure of our expeditions on shore. But it was afterwards found that our soldiers could assume the same superiority, whenever the plan of the campaign offered them a fair field for its exercise. Such a field of action was afforded by the Egyptian expedition.

This undertaking was the exclusive plan of an ill-requited statesman, the late Lord Melville;[1] who had difficulty in obtaining even Mr Pitt's concurrence in a scheme, of a character so much more daring than Britain had lately entertained. The

[1] [Henry Dundas, created in 1802, Baron Dunsira and Viscount Melville, died in May 1811.]

expedition was resolved upon by the narrowest possible majority in the Cabinet; and his late majesty interposed his consent in terms inferring a solemn protest against the risk about to be incurred. "It is with the utmost reluctance" (such, or nearly such, were the words of George III.) "that I consent to a measure which sends the flower of my army upon a dangerous expedition against a distant province."[1] The event, however, showed, that, in arduous circumstances, the daring game, if previously well considered, is often the most successful.

On the 8th March, 1801, General Sir Ralph Abercrombie, at the head of an army of seventeen thousand men, landed in Egypt, in despite of the most desperate opposition by the enemy. The excellence of the troops was displayed by the extreme gallantry and calmness with which, landing through a heavy surf, they instantly formed and advanced against the enemy. On the 21st of March, a general action took place. The French cavalry attempted to turn the British flank, and made a desperate charge for that purpose, but failed in their attempt, and were driven back with great loss. The French

[1] At an after period, the good King made the following acknowledgment of his mistake. When Lord Melville was out of power, his majesty did him the honour to visit him at Wimbledon, and partook of some refreshment. On that occasion the King took an opportunity to fill a glass of wine, and having made the company do the same, he gave as his toast, "The health of the courageous minister, who, against the opinion of many of his colleagues, and even the remonstrances of his king, had dared to conceive and carry through the Egyptian expedition."

were defeated, and compelled to retreat on Alexandria, under the walls of which they hoped to maintain themselves. But the British suffered an irreparable loss in their lamented commander, Sir Ralph Abercrombie, who was mortally wounded in the course of the action. In this gallant veteran his country long regretted one of the best generals, and one of the worthiest and most amiable men, to whom she ever gave birth.

The command descended on General Hutchinson, who was soon joined by the Capitan Pacha, with a Turkish army. The recollections of Aboukir and Heliópolis, joined to the remonstrances and counsels of their English allies, induced the Turks to avoid a general action, and confine themselves to skirmishes, by which system the French were so closely watched, and their communications so effectually destroyed, that General Belliard, shut up in a fortified camp in Cairo, cut off from Alexandria, and threatened with insurrection within the place, was compelled to capitulate, under condition that his troops should safely be transported to France, with their arms and baggage. This was on the 28th of June, and the convention[1] had scarce been signed, when the English army was reinforced in a manner which showed the bold and successful combination of measures under which the expedition had been undertaken.

An army of seven thousand men, of whom two

[1] [For a copy of the Convention, see *Annual Register*, vol. xliii. p. 221.]

thousand were sepoys, or native Indian troops, were disembarked at Cosseir, on the Red Sea, and, detached from the Indian settlements, now came to support the European part of the English invasion. The Egyptians saw with the extremity of wonder, native troops, many of them Moslemah, who worshipped in the mosques, and observed the ritual enjoined by the Prophet, perfectly accomplished in the European discipline. The lower class were inclined to think, that this singular reinforcement had been sent to them in consequence of Mohammed's direct and miraculous interposition; only their being commanded by English officers did not favour this theory.

In consequence of these reinforcements, and his own confined situation under the walls of Alexandria, Menou saw himself constrained to enter into a convention for surrendering up the province of Egypt. He was admitted to the same terms of composition which had been granted to Belliard; and thus the war in that quarter was, on the part of Great Britain, triumphantly concluded.

The conquest of this disputed kingdom excited a strong sensation both in France and Britain; but the news of the contest being finally closed by Menou's submission, are believed to have reached the former country some time before the English received them. Buonaparte, on learning the tidings, is reported to have said, "Well, there remains now no alternative but to make the descent on Britain." But it seems to have occurred to him presently afterwards, that the loss of this disputed province

might, instead of being an argument for carrying the war to extremity, be considered as the removal of an obstacle to a treaty of peace.[1]

[1] ["Napoleon never ceased to repeat, that Egypt ought to have remained in the possession of the French, which, he said, would infallibly have been the case, had the country been defended by Kleber or Desaix."—LAS CASES, t. i. p. 230.—"However great was the displeasure of the First Consul at what had taken place, not an expression of ill-humour escaped him against any one. He showed at all times a marked preference for those who formed a part of the army of Egypt, with the exception of a few officers who had made themselves conspicuous by their bad spirit and ingratitude; and the only revenge he took on these was to forget them altogether."—DUKE OF ROVIGO, v. i. p. 251.]

CHAPTER XXIII.

Preparations for the Invasion of Britain—Nelson put in command of the Sea.—Attack of the Boulogne Flotilla. —Pitt leaves the Ministry—succeeded by Mr Addington. —Negotiations for Peace.—Just punishment of England, in regard to the conquered Settlements of the enemy.— Forced to restore them all, save Ceylon and Trinidad.— Malta is placed under the guarantee of a Neutral Power. —Preliminaries of Peace signed.—Joy of the English Populace, and doubts of the better classes.—Treaty of Amiens signed.—The ambitious projects of Napoleon, nevertheless, proceed without interruption.—Extension of his power in Italy.—He is appointed Consul for life, with the power of naming his Successor.—His Situation at this period.

As the words of the First Consul appeared to intimate, preparations were resumed on the French coast for the invasion of Great Britain. Boulogne, and every harbour along the coast, was crowded with flat-bottomed boats, and the shores covered with camps of the men designed apparently to fill them. We need not at present dwell on the preparations for attack, or those which the English adopted in defence, as we shall have occasion to notice both, when Buonaparte, for the last time, threatened England with the same measure. It is enough to say, that, on the present occasion,

the menaces of France had their usual effect in awakening the spirit of Britain.

The most extensive arrangements were made for the reception of the invaders should they chance to land, and in the mean while, our natural barrier was not neglected. The naval preparations were very great, and what gave yet more confidence than the number of vessels and guns, Nelson was put into command of the sea, from Orfordness to Beachyhead. Under his management, it soon became the question, not whether the French flotilla was to invade the British shores, but whether it was to remain in safety in the French harbours. Boulogne was bombarded, and some of the small craft and gun-boats destroyed—the English admiral generously sparing the town; and not satisfied with this partial success, Nelson prepared to attack them with the boats of the squadron. The French resorted to the most unusual and formidable preparations for defence. Their flotilla was moored close to the shore in the mouth of Boulogne harbour, the vessels secured to each other by chains, and filled with soldiers. The British attack in some degree failed, owing to the several divisions of boats missing each other in the dark; some French vessels were taken, but they could not be brought off; and the French chose to consider this result as a victory, on their part, of consequence enough to balance the loss at Aboukir;—though it amounted at best to ascertaining, that although their vessels could not keep the sea, they might, in some comparative degree of safety, lie under close cover of their own batteries. Mean

time, the changes which had taken place in the British administration, were preparing public expectation for that peace which all the world now longed for.

Mr Pitt, as is well known, left the Ministry, [Feb. 1801], and was succeeded in the office of first Minister of State by Mr Addington, now Lord Sidmouth. The change was justly considered as friendly to pacific measures; for, in France especially, the gold of Pitt had been by habit associated with all that was prejudicial to their country. The very massacres of Paris, nay, the return of Buonaparte from Egypt, were imputed to the intrigues of the English minister; he was the scape-goat on whom were charged as the ultimate cause, all the follies, crimes, and misfortunes of the Revolution.

A great part of his own countrymen, as well as of the French, entertained a doubt of the possibility of concluding a peace under Mr Pitt's auspices; while those who were most anti-Gallican in their opinions, had little wish to see his lofty spirit stoop to the task of arranging conditions of treaty on terms so different from what his hopes had once dictated. The worth, temper, and talents of his successor, seemed to qualify him to enter into a negotiation to which the greater part of the nation was now inclined, were it but for the sake of experiment.

Buonaparte himself was at this time disposed to peace. It was necessary to France, and no less necessary to him, since he otherwise must remain pledged to undertake the hazardous alternative of

invasion, in which chances stood incalculably against his success; while a failure might have, in its consequences, inferred the total ruin of his power. All parties were, therefore, in a great degree inclined to treat with sincerity; and Buonaparte was with little difficulty brought to consent to the evacuation of Egypt, there being every reason to believe that he was already possessed of the news of the convention with Menou. At any rate, the French cause in Egypt had been almost desperate ever since the battle of Alexandria, and the First Consul was conscious that in this sacrifice he only resigned that which there was little chance of his being able to keep. It was also stipulated, that the French should evacuate Rome and Naples; a condition of little consequence, as they were always able to reoccupy these countries when their interest required it. The Dutch colony of the Cape of Good Hope was to be restored to the Batavian republic, and declared a free port.

In respect of the settlements which the British arms had conquered, England underwent a punishment not unmerited. The conquest of the enemy's colonies had been greatly too much an object of the English Ministry; and thus the national force had been frittered away upon acquisitions of comparatively petty importance, which, from the insalubrity of the climate, cost us more men to maintain them than would have been swept off by many a bloody battle. All the conquests made on this peddling plan of warfare, were now to be returned without any equivalent. Had the gallant soldiers, who perished miserably for the sake of these sugar-

islands, been united in one well-concerted expedition, to the support of Charette, or La Rochejacquelein, such a force might have enabled these chiefs to march to Paris; or, if sent to Holland, might have replaced the Stadtholder in his dominions. And now, these very sugar-islands, the pitiful compensation which Britain had received for the blood of her brave children, were to be restored to those from whom they had been wrested. The important possessions of Ceylon in the East, and Trinidad in the West Indies, were the only part of her conquests which England retained. The integrity of her ancient ally, Portugal, was, however, recognised, and the independence of the Ionian islands was stipulated for and guaranteed. Britain restored porto Ferrajo, and what other places she had occupied in the isle of Elba, or on the Italian coast; but the occupation of Malta for some time threatened to prove an obstacle to the treaty. The English considered it as of the last consequence that this strong island should remain in their possession, and intimated that they regarded the pertinacious resistance which the First Consul testified to this proposal, as implying a private and unavowed desire of renewing, at some future opportunity, his designs on Egypt, to which Malta might be considered as in some measure a key. After much discussion, it was at length agreed that the independence of the island should be secured by its being garrisoned by a neutral power, and placed under its guarantee and protection.

The preliminaries of peace were signed 10th

October, 1801. General Law de Lauriston,[1] the school companion and first aide-de-camp of Buonaparte, brought them over from Paris to London, where they were received with the most extravagant joy by the populace, to whom novelty is a sufficient recommendation of almost any thing. But amidst the better classes, the sensation was much divided. There was a small but energetic party, led by the celebrated Windham, who, adopting the principles of Burke to their utmost extent, considered the act of treating with a regicide government as indelible meanness, and as a dereliction, on the part of Great Britain, of those principles of legitimacy, upon which the social compact ought to rest. More moderate Anti-Gallicans, while they regretted that our efforts in favour of the Bourbons had been totally unavailing, contended with reason, that we were not so closely leagued to their cause as to be bound to sacrifice our own country, in a vain attempt to restore the exiled family to the throne of France. This was the opinion entertained by Pitt himself, and the most judicious among his followers. Lastly, there was the professed Opposition, who, while rejoicing that we had been able to obtain peace on any terms, might now exult in the fulfilment of their predictions of the bad success of the war. Sheridan summed up what was perhaps the most general feeling in the country, with the observation, that "it was a peace which all men were glad of, and no man could be proud of."

[1] [General Law of Lauriston was born at Pondicherry in 1768 He died at Paris in 1828.]

Amiens was appointed for the meeting of commissioners, who were finally to adjust the treaty of pacification, which was not ended till five months after the preliminaries had been agreed on. After this long negotiation, the treaty was at length signed, 25th March, 1802. The isle of Malta, according to this agreement, was to be occupied by a garrison of Neapolitan troops, while, besides Britain and France, Austria, Spain, Russia, and Prussia, were to guarantee its neutrality. The Knights of St John were to be the sovereigns, but neither French nor English were in future to be members of that order. The harbours were to be free to the commerce of all nations, and the order was to be neutral towards all nations save the Algerines and other piratical states.

Napoleon, had he chosen to examine into the feelings of the English, must have seen plainly that this treaty, unwillingly acceded to by them, and only by way of experiment, was to have a duration long or short, in proportion to their confidence in, or doubt of, his own good faith. His ambition, and the little scruple which he showed in gratifying it, was, he must have been sensible, the terror of Europe; and until the fears he had excited were disarmed by a tract of peaceful and moderate conduct on his part, the suspicions of England must have been constantly awake, and the peace between the nations must have been considered as precarious as an armed truce. Yet these considerations could not induce him to lay aside, or even postpone, a train of measures, tending directly to his own personal aggrandizement, and confirming the

jealousies which his character already inspired. These measures were partly of a nature adapted to consolidate and prolong his own power in France; partly to extend the predominating influence of that country over her continental neighbours.

By the treaty of Luneville, and by that of Tolentino, the independent existence of the Cisalpine and Helvetian republics had been expressly stipulated; but this independence, according to Buonaparte's explanation of the word, did not exclude their being reduced to mere satellites, who depended on, and whose motions were to be regulated by France, and by himself, the chief governor of France and all her dependencies. When, therefore, the Directory was overthrown in France, it was not his purpose that a directorial form of government should continue to subsist in Italy. Measures were on this account to be taken, to establish in that country something resembling the new consular model adopted in Paris.

For this purpose, in the beginning of January, 1802, a convention of 450 deputies from the Cisalpine states arrived at Lyons, (for they were not trusted to deliberate within the limits of their own country,) to contrive for themselves a new political system. In that period, when the modelling of constitutions was so common, there was no difficulty in drawing up one; which consisted of a president, a deputy-president, a legislative council, and three electoral colleges, composed, first, of proprietors; second, of persons of learning; and, third, of commercial persons. If the Italians had been awkward upon the occasion, they had the assistance of

Talleyrand; and soon after, the arrival of Buonaparte himself at Lyons gave countenance to their operations. His presence was necessary for the exhibition of a most singular farce.

A committee of thirty of the Italian convention, to whom had been intrusted the principal duty of suggesting the new model of government, gave in a report, in which it was stated, that, from the want of any man of sufficient influence amongst themselves to fill the office of president, upon whom devolved all the executive duties of the state, the new system could not be considered as secure, unless Buonaparte should be prevailed upon to fill that situation, not, as it was carefully explained, in his character of head of the French government, but in his individual capacity. Napoleon graciously inclined to their suit. He informed them, that he concurred in the modest opinion they had formed, that their republic did not at present possess an individual sufficiently gifted with talents and impartiality to take charge of their affairs, which he should, therefore, retain under his own chief management, while circumstances required him to do so.

Having thus established his power in Italy as firmly as in France, Buonaparte proceeded to take measures for extending his dominions in the former country and elsewhere. By a treaty with Spain, now made public, it appeared that the duchy of Parma was to devolve on France, together with the island of Elba, upon the death of the present duke—an event at no distant date to be expected. The Spanish part of the province of Louisiana, in

North America, was to be ceded to France by the same treaty. Portugal, too, though the integrity of her dominions had been guaranteed by the preliminaries of the peace with England, had been induced, by a treaty kept studiously private from the British court, to cede her province of Guiana to France. These stipulations served to show that there was no quarter of the world in which France and her present ruler did not entertain views of aggrandisement, and that questions of national faith would not be considered too curiously when they interfered with their purpose.

While Europe was stunned and astonished at the spirit of conquest and accumulation manifested by this insatiable conqueror, France was made aware that he was equally desirous to consolidate and to prolong his power, as to extend it over near and distant regions. He was all, and more than all, that sovereign had ever been; but he still wanted the title and the permanence which royalty requires. To attain these was no difficult matter, when the First Consul was the prime mover of each act, whether in the Senate or Tribunate; nor was he long of discovering proper agents eager to gratify his wishes.

Chabot de L'Allier took the lead in the race of adulation. Arising in the Tribunate, he pronounced a long eulogium on Buonaparte, enhancing the gratitude due to the hero by whom France had been preserved and restored to victory. He therefore proposed that the Tribunate should transmit to the Conservative Senate a resolution, requesting the Senate to consider the manner of bestowing on

Napoleon Buonaparte a splendid mark of the national gratitude.

There was no misunderstanding this hint. The motion was unanimously adopted, and transmitted to the Convention, to the Senate, to the Legislative Body, and to the Consuls.

The Senate conceived they should best meet the demand now made upon them, by electing Napoleon First Consul for a second space of ten years, to commence when the date of the original period, for which he was named by the Constitution, should expire.

The proposition of the Senate being reduced into the form of a decree, was intimated to Buonaparte, but fell short of his wishes; as it assigned to him, however distant it was, a period at which he must be removed from authority. It is true, that the space of seventeen years, to which the edict of the Senate proposed to extend his power, seemed to guarantee a very ample duration; and in point of fact, before the term of its expiry arrived, he was prisoner at Saint Helena. But still there was a termination, and that was enough to mortify his ambition.

He thanked the Senate, therefore, for this fresh mark of their confidence, but eluded accepting it in express terms, by referring to the pleasure of the people. Their suffrages, he said, had invested him with power, and he could not think it right to accept of the prolongation of that power but by their consent. It might have been thought that there was now nothing left but to present the decree of the Senate to the people. But the second and

third consuls, Buonaparte's colleagues at a humble distance, took it upon them, though the constitution gave them no warrant for such a manœuvre, to alter the question of the Senate, and to propose to the people one more acceptable to Buonaparte's ambition, requesting their judgment, whether the Chief Consul should retain his office, not for ten years longer, but for the term of his life. By thus juggling, the proposal of the Senate was set aside, and that assembly soon found it wisest to adopt the more liberal views suggested by the Consuls, to whom they returned thanks, for having taught them (we suppose) how to appreciate a hint.

The question was sent down to the departments. The registers were opened with great form, as if the people had really some constitutional right to exercise. As the subscriptions were received at the offices of the various functionaries of government, it is no wonder, considering the nature of the question, that the ministers with whom the registers were finally deposited, were enabled to report a majority of three millions of citizens who gave votes in the affirmative. It was much more surprising, that there should have been an actual minority of a few hundred determined Republicans, with Carnot at their head, who answered the question in the negative. This statesman observed, as he signed his vote, that he was subscribing his sentence of deportation; from which we may conjecture his opinion concerning the fairness of this mode of consulting the people. He was mistaken notwithstanding. Buonaparte found himself so strong, that he could afford to be merciful, and to

assume a show of impartiality, by suffering those to go unpunished who had declined to vote for the increase of his power.[1]

He did not, however, venture to propose to the people another innovation, which extended beyond his death the power which their liberal gift had continued during his life. A simple decree of the Senate assigned to Buonaparte the right of nominating his successor, by a testamentary deed. So that Napoleon might call his children or relatives to the succession of the empire of France, as to a private inheritance; or, like Alexander, he might leave it to the most favoured of his lieutenant-generals. To such a pass had the domination of a military chief, for the space of betwixt two and three years, reduced the fierce democracy and stubborn loyalty of the two factions, which seemed before that period to combat for the possession of France. Napoleon had stooped on them both, like the hawk in the fable.

The period at which we close this chapter was a most important one in Napoleon's life, and seemed a crisis on which his fate, and that of France,

[1] [Montgaillard, t. v. pp. 470, 476; Jomini, t. xv. p. 17. "For six weeks," says Fouché, "the ministry was busily engaged in collecting and transcribing the registers in which the suffrages for the consulship for life were inscribed. Got up by a special committee, the report presented 3,568,185 votes in the affirmative, and only 9074 in the negative. On the 2d August, a *senatus consultum*, called organic, conferred the perpetual power on the First Consul Buonaparte; and on the 15th, the anniversary of his birth, solemn prayers were offered up to God for having, in his ineffable bounty, granted to France a man who had deigned to consent to bear the burden of supreme power for his whole life."—T. i. p. 236.]

depended. Britain, his most inveterate and most successful enemy, had seen herself compelled by circumstances to resort to the experiment of a doubtful peace, rather than continue a war which seemed to be waged without an object. The severe checks to national prosperity, which arose from the ruined commerce and blockaded ports of France, might now, under the countenance of the First Consul, be exchanged for the wealth that waits upon trade and manufactures. Her navy, of which few vestiges were left save the Brest fleet, might now be recruited, and resume by degrees that acquaintance with the ocean from which they had long been debarred. The restored colonies of France might have added to the sources of her national wealth, and she might have possessed—what Buonaparte on a remarkable occasion declared to be the principal objects he desired for her—ships, colonies, and commerce.

In his personal capacity, the First Consul possessed all the power which he desired, and a great deal more than, whether his own or the country's welfare was regarded, he ought to have wished for. His victories over the foes of France had, by their mere fame, enabled him to make himself master of her freedom. It remained to show—not whether Napoleon was a patriot, for to that honourable name he had forfeited all title when he first usurped unlimited power—but whether he was to use the power which he had wrongfully acquired, like Trajan or like Domitian. His strangely-mingled character showed traits of both these historical portraits, strongly opposed as they are to

each other. Or rather, he might seem to be like Socrates in the allegory, alternately influenced by a good and a malevolent demon; the former marking his course with actions of splendour and dignity; while the latter, mastering human frailty by means of its prevailing foible, the love of self, debased the history of a hero, by actions and sentiments worthy only of a vulgar tyrant.

CHAPTER XXIV.

Different Views entertained by the English Ministers and the Chief Consul of the effects of the Treaty of Amiens.—Napoleon, misled by the Shouts of a London Mob, misunderstands the Feelings of the People of Great Britain —His continued encroachments on the Independence of Europe—His conduct to Switzerland—Interferes in their Politics, and sets himself up, uninvited, as Mediator in their concerns.—Ney enters Switzerland at the head of 40,000 men.—The patriot, Reding, disbands his Forces, and is imprisoned.—Switzerland is compelled to furnish France with a Subsidiary Army of 16,000 Troops.—The Chief Consul adopts the title of Grand Mediator of the Helvetic Republic.

THE eyes of Europe were now fixed on Buonaparte, as master of the destinies of the civilized world, which his will could either maintain in a state of general peace, or replunge into all the miseries of renewed and more inveterate war. Many hopes were entertained, from his eminent personal qualities, that the course in which he would direct them might prove as honourable to himself as happy for the nations over whom he now possessed such unbounded influence. The shades of his character were either lost amid the lustre of his victories, or excused from the necessity of his situation. The massacre of Jaffa was little known, was acted afar

off, and might present itself to memory as an act of military severity, which circumstances might palliate, if not excuse.

Napoleon, supposing him fully satiated with martial glory, in which he had never been surpassed, was expected to apply himself to the arts of peace, by which he might derive fame of a more calm, yet not less honourable character. Peace was all around him, and to preserve it, he had only to will that it should continue; and the season seemed eminently propitious for taking the advice of Cineas to the King of Epirus, and reposing himself after his labours. But he was now beginning to show, that, from the times of Pyrrhus to his own, ambition has taken more pleasure in the hazards and exertions of the chase than in its successful issue. All the power which Buonaparte already possessed seemed only valuable in his eyes, as it afforded him the means of getting as much more; and, like a sanguine and eager gamester, he went on doubling his stakes at every throw, till the tide of fortune, which had so long run in his favour, at length turned against him, and his ruin was total. His ruling and predominating vice was ambition—we would have called it his only one, did not ambition, when of a character intensely selfish, include so many others.

It seems the most natural course, in continuing our history, first to trace those events which disappointed the general expectations of Europe, and after a jealous and feverish armistice of little more than a year, again renewed the horrors of war. We shall then resume the internal history of France and her ruler.

Although the two contracting powers had been able to agree upon the special articles of the peace of Amiens, they possessed extremely different ideas concerning the nature of a state of pacification in general, and the relations which it establishes between two independent states. The English minister, a man of the highest personal worth and probity, entertained no doubt that peace was to have its usual effect, of restoring all the ordinary amicable intercourse betwixt France and England; and that, in matters concerning their mutual allies, and the state of the European republic in general, the latter country, on sheathing the sword, had retained the right of friendly counsel and remonstrance. Mr Addington could not hope to restore the balance of Europe, for which so much blood had been spilled in the eighteenth century. The scales and beams of that balance were broken into fragments, and lay under the feet of Buonaparte. But Britain did not lie prostrate. She still grasped in her hand the trident of the ocean, and had by no event, in the late contest, been reduced to surrender the right of remonstrating against violence and injustice, and of protecting the feeble, as far as circumstances would still permit.

But Buonaparte's idea of the effects of the treaty of Amiens was very different. It was, according to his estimation, a treaty, containing every thing that Britain was entitled to expect on the part of herself and her allies, and the accepting of which excluded her from all farther right of interference in the affairs of Europe. It was like a bounding charter, which restricts the right of the person to

whom it is granted to the precise limits therein described, and precludes the possibility of his making either claim or acquisition beyond them. All Europe, then, was to be at the disposal of France, and states created, dissolved, changed and rechanged at her pleasure, unless England could lay her finger on the line in the treaty of Amiens, which prohibited the proposed measure. "England," said the *Moniteur*, in an official tone, "shall have the treaty of Amiens, the whole treaty of Amiens, and nothing but the treaty of Amiens!" In this manner the treaty was, so far as England was concerned, understood to decide, and that in favour of France, all questions which could possibly arise in the course of future time between the two countries; while, in ordinary candour, and in common sense, it could be only considered as settling the causes of animosity between the parties, as they existed at the date of the pacification.

The insular situation of England was absurdly alleged as a reason why she should not interfere in continental politics; as if the relations of states to each other were not the same, whether divided by an ocean or a line of mountains. The very circumstance had been founded upon eloquently and justly by one of her own poets, for claiming for Britain the office of an umpire,[1] because less liable to be agitated by the near vicinity of continental war, and more likely to decide with impartiality concerning contending claims, in which she herself could have little interest. It was used by France

[1] "Thrice happy Britain, from the kingdoms rent,
To sit the Guardian of the Continent."

ADDISON.

in the sense of another poet, and made a reason for thrusting England out of the European world, and allowing her no vote in its most important concerns.[1]

To such humiliation it was impossible for Britain to submit. It rendered the treaty of Amiens, thus interpreted, the counterpart of the terms which the Cyclops granted to Ulysses, that he should be the last devoured. If Britain were compelled to remain, with fettered hands and padlocked lips, a helpless and inactive witness, while France completed the subjection of the Continent, what other doom could she expect than to be finally subdued? It will be seen afterwards that disputes arose concerning the execution of the treaty. These, it is possible, might have been accommodated, had not the general interpretation, placed by the First Consul on the whole transaction, been inconsistent with the honour, safety, and independence of Great Britain.

It seems more than probable, that the extreme rejoicing of the rabble of London at signing the preliminaries, their dragging about the carriage of Lauriston, and shouting "Buonaparte for ever!" had misled the ruler of France into an opinion that peace was indispensably necessary to England: for, like other foreigners, misapprehending the nature of our popular government, he may easily enough have mistaken the cries of a London mob for the voice of the British people. The ministers also seemed to keep their ground in Parlia-

[1] —— "penitus toto divisos orbe Britannos."
VIRGIL.

ment on condition of their making and maintaining peace; and as they showed a spirit of frankness and concession, it might be misconstrued by Buonaparte into a sense of weakness. Had he not laboured under some such impression, he would probably have postponed, till the final pacification of Amiens, the gigantic steps towards farther aggrandisement, which he hesitated not to take after signing the preliminaries, and during the progress of the Congress.

We have already specified Napoleon's acceptance of the presidency of the Cisalpine Republic, on which he now bestowed the name of Italian, as if it was designed at a future time to comprehend the whole peninsula of Italy. By a secret treaty with Portugal, he had acquired the province of Guiana, so far as it belonged to that power. By another with Spain, he had engrossed the Spanish part of Louisiana, and, what was still more ominous, the reversion of the duchy of Parma, and of the island of Elba,[1] important as an excellent naval station.

In the German Diet for settling the indemnities, to be granted to the various princes of the empire who had sustained loss of territory in consequence of late events, and particularly of the treaty of Luneville, the influence of France predominated in a manner which threatened entire destruction to that ancient confederation. It may be in general observed, that towns, districts, and provinces, were dealt from hand to hand like cards at a gaming-table;

[1] [See Annual Register, vol. xliv. p. 608.]

and the powers of Europe once more, after the partition of Poland, saw with scandal the government of freemen transferred from hand to hand, without regard to their wishes, aptitudes, and habits, any more than those of cattle. This evil imitation of an evil precedent was fraught with mischief, as breaking every tie of affection betwixt the governor and governed, and loosening all attachments which bind subjects to their rulers, excepting those springing from force on the one side, and necessity on the other.

In this transfer of territories and jurisdictions, the King of Prussia obtained a valuable compensation for the Duchy of Cleves, and other provinces transferred to France, as lying on the left bank of the Rhine.[1] The neutrality of that monarch had been of the last service to France during her late bloody campaigns, and was now to be compensated. The smaller princes of the empire, especially those on the right bank of the Rhine, who had virtually placed themselves under the patronage of France, were also gratified with large allotments of territory; whilst Austria, whose pertinacious opposition was well remembered, was considered as yet retaining too high pretensions to power and independence, and her indemnities were as much limited as those of the friends of France were extended.

The various advantages and accessions of power and influence which we have hitherto alluded to, as attained by France, were chiefly gained by address

[1] [Jomini, t. xv. p. 25; Annual Register, v. xliv. p. 640.]

in treating, and diplomatic skill. But shortly after the treaty of Amiens had been signed, Buonaparte manifested to the world, that where intrigue was unsuccessful, his sword was as ready as ever to support and extend his aggressions.

The attack of the Directory on the Swiss Cantons had been always considered as a coarse and gross violation of the law of nations, and was regarded as such by Buonaparte himself. But he failed not to maintain the military possession of Switzerland by the French troops; nor, however indignant under the downfall of her ancient fame and present liberties, was it possible for that country to offer any resistance, without the certainty of total destruction.

The eleventh article of the treaty of Luneville seemed to afford the Swiss a prospect of escaping from this thraldom, but it was in words only. That treaty was declared to extend to the Batavian, Helvetic, Cisalpine, and Ligurian Republics. "The contracting parties guarantee the *independence* of the said republics," continues the treaty, "and the right of the people who inhabit them to adopt what form of government they please."[1] We have seen how far the Cisalpine republic profited by this declaration of independence; the proceedings respecting Switzerland were much more glaring.

There was a political difference of opinion in the Swiss cantons, concerning the form of government to be adopted by them; and the question was solemnly agitated in a diet held at Berne. The

[1] [Annual Register, vol. xliii. p. 273.]

majority inclined for a constitution framed on the principle of their ancient government by a federative league, and the plan of such a constitution was accordingly drawn up and approved of. Aloys Reding, renowned for wisdom, courage, and patriotism, was placed at the head of this system. He saw the necessity of obtaining the countenance of France, in order to the free enjoyment of the constitution which his countrymen had chosen, and betook himself to Paris to solicit Buonaparte's consent to it. This consent was given, upon the Swiss government agreeing to admit to their deliberations six persons of the opposite party, who, supported by the French interest, desired that the constitution should be one and indivisible, in imitation of that of the French Republic.

This coalition, formed at the First Consul's request, terminated in an act of treachery, which Buonaparte had probably foreseen. Availing themselves of an adjournal of the Diet for the Easter holydays, the French party summoned a meeting, from which the other members were absent, and adopted a form of constitution which totally subverted the principles of that under which the Swiss had so long lived in freedom, happiness, and honour. Buonaparte congratulated them on the wisdom of their choice. It was, indeed, sure to meet his approbation, for it was completely subversive of all the old laws and forms, and so might receive any modification which his policy should dictate, and it was to be administered of course by men, who, having risen under his influence, must necessarily be pliant to his will. Having made his com-

pliments on their being possessed of a free and independent constitution, he signified his willingness to withdraw the troops of France, and did so accordingly. For this equitable measure much gratitude was expressed by the Swiss, which might have been saved, if they had known that Buonaparte's policy rather than his generosity dictated his proceedings. It was, in the first place, his business to assume the appearance of leaving the Swiss in possession of their freedom; secondly, he was sure that events would presently happen, when they should be left to themselves, which would afford a plausible pretext to justify his armed interference.

The aristocratic cantons of the ancient Swiss League were satisfied with the constitution finally adopted by the French party of their country; but not so the democratic, or small cantons, who rather than submit to it, declared their resolution to withdraw from the general league, as new-modelled by the French, and to form under their own ancient laws a separate confederacy.[1] This was to consist of the cantons of Schweitz, Uri, and Underwalden, forest and mountain regions, in which the Swiss have least degenerated from the simple and hardy manners of their ancestors. A civil war immediately broke out, in the course of which it was seen, that in popularity, as July 19.

[1] ["In the conviction, that for a forced and unfortunate marriage, divorce is the only reasonable remedy, and that Helvetia and ourselves cannot recover repose and content, except by the rupture of this forced tie, we are firmly resolved to labour at that separation with all possible activity."]

well as patriotism, the usurping Helvetic government, established by French interest, was totally inferior to the gallant foresters. These last were guided chiefly by the patriotic Reding, who strove, with undaunted though ultimately with vain resolution, to emancipate his unfortunate country. The intrusive government were driven from Berne, their troops every where routed, and the federative party were generally received with the utmost demonstrations of joy by their countrymen, few adhering to the usurpers, excepting those who were attached to them by views of emolument.

But while Reding and the Swiss patriots were triumphing in the prospect of restoring their ancient constitution, with all its privileges and immunities, the strong grasp of superior power was extended to crush their patriotic exertions.

The fatal tidings of the proposed forcible interference of France, were made known by the sudden arrival of Rapp, adjutant-general of Buonaparte, with a letter addressed to the eighteen Swiss cantons.[1] This manifesto was of a

Sept. 30.

[1] ["The First Consul instructed Ney to enter Switzerland with a corps of troops, and caused Reding, the instigator of the disturbances, to be arrested; and he despatched Rapp, in all haste, who providentially arrived at the moment when the parties were coming to blows. Rapp, with a rare presence of mind, alighted from his carriage, placed himself between the two armies, loudly declaring, in the German language, that he was authorised to denounce, as an enemy of the French nation, whichever of the two parties should commence firing, and that he was ordered to introduce a fresh body of French troops into the Swiss territory. His firmness produced the greater effect, as both parties had the same consequences to apprehend, from a second invasion." —Savary, t. i. p. 301.]

most extraordinary nature. Buonaparte upbraided the Swiss with their civil discords of three years standing, forgetting that these discords would not have existed but for the invasion of the French. He told them that, when he, as a boon granted, had been pleased to withdraw his troops from their country, they had immediately turned their arms against each other. These are singular propositions enough to be found in a proclamation addressed by one independent nation to another. But what follows is still more extraordinary. "You have disputed three years, without understanding one another; if left any longer to yourselves, you will kill each other for three years more, without coming to any better result. Your history shows that your intestine wars cannot be terminated without the efficacious intervention of France. It is true, I had resolved not to intermeddle with your affairs, having always found that your various governments have applied to me for advice which they never meant to follow, and have sometimes made a bad use of my name to favour their own private interests and passions. But I neither can, nor ought to remain insensible to the distress of which I see you the prey. I recall my resolution of neutrality. I consent to be the mediator of your differences: but my mediation shall be effectual, such as becomes the great nation in whose name I address you."[1]

This insulting tone, with which, uninvited, and

[1] [Annual Register, vol. xliv. p. 671.]

as if granting a favour, the Chief Consul took upon him, as a matter of course, to exercise the most arbitrary power over a free and independent people, is equally remarkable at the close of the manifesto. The proclamation commands, that a deputation be sent to Paris, to consult with the Chief Consul; and concludes with an assertion of Buonaparte's "right to expect that no city, community, or public body, should presume to contradict the measures which it might please him to adopt." To support the reasoning of a manifesto which every schoolboy might have confuted, Ney, with an army of forty thousand men, entered Switzerland at different points.

As the presence of such an overpowering force rendered resistance vain, Aloys Reding, and his gallant companions, were compelled to dismiss their forces after a touching address to them. The Diet of Schweitz also dissolved itself in consequence of the interference, as they stated,[1] of an armed force of foreigners, whom it was impossible, in the exhausted state of the country, to oppose.

Switzerland was thus, once more, occupied by French soldiers. The patriots, who had distinguished themselves in asserting her rights, were sought after and imprisoned. Aloys Reding was urged to conceal himself, but he declined to do so; and when upbraided by the French officer who came to arrest him, as being the head of the insurrection, he answered nobly, "I have obeyed the call of

[1] [Annual Register, v. xliv. p. 678.]

conscience and my country—do you execute the commands of your master." He was imprisoned in the castle of Aarsbourg.[1]

The resistance of these worthy patriots, their calm, dignified, and manly conduct, their simple and affecting pleas against over-mastering violence, though they failed to procure the advantages which they hoped for their country, were not lost to the world, or to the cause of freedom. Their pathetic complaints, when perused in many a remote valley, excited detestation of French usurpation, in bosoms which had hitherto contented themselves with regarding the victories of the Republic with wonder, if not with admiration. For other aggressions, the hurry of revolution, the extremity of war, the strong compulsion of necessity might be pleaded; but that upon Switzerland was as gratuitous and unprovoked as it was nefariously unjust. The name of the cantons, connected with so many recollections of ancient faith and bravery, hardy simplicity, and manly freedom, gave additional interest to the sufferings of such a country; and no one act of his public life did Buonaparte so much injury throughout Europe, as his conduct towards Switzerland.[2]

[1] [Aloys Reding was born in 1755. After being confined several months in the castle of Aarsbourg he was liberated, and being in 1803 elected landemann of the canton of Schweitz, he assisted, in that capacity, at the diet of Fribourg, in 1809. He died at Schweitz in 1819.]

[2] ["Never did Buonaparte less abuse his vast preponderance; and Switzerland is, without contradiction, of all states near or distant, over which he has exerted his influence, that which he has spared the most, during the fifteen years of his ascendency and glory. In order to pay a proper tribute to truth, I will add,

The dignified resistance of the Swiss, their renown for courage, and the policy of not thwarting them too far, had some effect on the Chief Consul himself; and in the final act of mediation, by which he saved them the farther trouble of taking thought about their own constitution, he permitted federalism to remain as an integral principle. By a subsequent defensive treaty, the cantons agreed to refuse all passage through the country to the enemies of France, and engaged to maintain an army of a few thousand men to guarantee this engagement. Switzerland also furnished France with a subsidiary army of sixteen thousand men, to be maintained at the expense of the French Government. But the firmness which these mountaineers showed in the course of discussing this treaty was such, that it saved them from having the conscription imposed on them, as in other countries under the dominion of France.[1]

Notwithstanding these qualifications, however, it was evident that the voluntary and self-elected Mediator[2] of Switzerland was in fact sovereign of that country, as well as of France and the north of

that the act of mediation was impregnated, as much as possible, with the conciliatory and characteristically moderate spirit of Barthélemi."—FOUCHÉ, t. i. p. 254.]

[1] [Montgaillard, t. vi. p. 5; Jomini, Vie Politique et Militaire de Napoleon, t. i. p. 532; Savary, v. i. p. 302.]

[2] ["The deputies, pleased with the result of their mission, requested the First Consul to retain the title of Mediator, which had been conferred upon him. The country was restored to its wonted tranquillity, without the effusion of blood; and the celebrated M. de la Harpe (formerly tutor to the Emperor Alexander), who had governed it under the title of Director, came to fix his residence in Paris."—SAVARY, t. i. p. 302.]

Italy; but there was no voice to interdict this formidable accumulation of power. England alone interfered, by sending an envoy (Mr Moore) to the diet of Schweitz, to enquire by what means she could give assistance to their claims of independence; but ere his arrival, the operations of Ney had rendered all farther resistance impossible. A remonstrance was also made by England to the French Government upon this unprovoked aggression on the liberties of an independent people.[1] But it remained unanswered and unnoticed, unless in the pages of the *Moniteur*, where the pretensions of Britain to interfere with the affairs of the Continent, were held up to ridicule and contempt. After this period, Buonaparte adopted, and continued to bear, the title of Grand Mediator of the Helvetian Republic, in token, doubtless, of the right which he had assumed, and effectually exercised, of interfering in their affairs whenever it suited him to do so.[2]

[1] [For Lord Hawkesbury's Note-Verbal to M. Otto, Oct. 10, 1802, together with his lordship's directions to Mr Moore, and Mr Moore's reply, see *Annual Register*, vol. xliv. pp. 674—678.]

[2] ["That which Sir Walter Scott here advances concerning the blamable policy of Napoleon with respect to the Swiss, when he gave them this act of mediation, is not correct, and I will prove it to be so. I was in Switzerland in 1814, after the invasion of the allies, and certainly this was the period of the greatest enmity towards my brother; it was the epoch of the calumniators and libellers; nay, there existed those who carried their effrontery so far as to declare that the name of Napoleon was not his own, and that he was called Nicholas. Nevertheless, even at this period, some of the deputies of the Diet, and

the landemanns of the different cantons, and the principal Swiss, who frequented the baths of Baden, near Zurich, where I then was, did not refrain from openly declaring, that they could not complain of the Emperor Napoleon, that he had put an end to their difficulties, and that they could feel nothing but gratitude towards him."—LOUIS BUONAPARTE, p. 38]

CHAPTER XXV.

Increasing Jealousies betwixt France and England—Encroachments on the part of the former.—Instructions given by the First Consul to his Commercial Agents.—Orders issued by the English Ministers.—Peltier's celebrated Royalist Publication, L'Ambigu.—Peltier tried for a Libel against the First Consul—found Guilty.—Angry Discussions respecting the Treaty of Amiens—Malta.—Report of Sebastiani—Resolution of the British Government.—Conferences betwixt Buonaparte and Lord Whitworth.—Britain declares War against France on 18th May, 1803.

THESE advances towards universal empire, made during the very period when the pacific measures adopted by the preliminaries, and afterwards confirmed by the treaty of Amiens, were in the act of being carried into execution, excited the natural jealousy of the people of Britain. They had not been accustomed to rely much on the sincerity of the French nation; nor did the character of its present Chief, so full of ambition, and so bold and successful in his enterprises, incline them to feelings of greater security. On the other hand, Buonaparte seems to have felt as matter of personal offence the jealousy which the British entertained; and instead of soothing it, as policy dictated, by concessions and confidence, he showed a disposition

to repress, or at least to punish it, by measures which indicated anger and irritation. There ceased to be any cordiality of intercourse betwixt the two nations, and they began to look into the conduct of each other for causes of offence, rather than for the means of removing it.

The English had several subjects of complaint against France, besides the general encroachments which she had continued to make on the liberties of Europe. A law had been made during the times of the wildest Jacobinism, which condemned to forfeiture every vessel under a hundred tons burden, carrying British merchandise, and approaching within four leagues of France. It was now thought proper, that the enforcing a regulation of so hostile a character, made during a war of unexampled bitterness, should be the first fruits of returning peace. Several British vessels were stopped, their captains imprisoned, their cargoes confiscated, and all restitution refused. Some of these had been driven on the French coast unwillingly, and by stress of weather; but the necessity of the case created no exemption. An instance there was of a British vessel in ballast, which entered Charente, in order to load with a cargo of brandy. The plates, knives, forks, &c., used by the captain, being found to be of British manufacture, the circumstance was thought a sufficient apology for seizing the vessel. These aggressions, repeatedly made, were not, so far as appears, remedied on the most urgent remonstrances, and seemed to argue that the French were already acting on the vexatious and irritating principle which often precedes a war, but very seldom

immediately follows a peace. The conduct of France was felt to be the more unreasonable and ungracious, as all restrictions on her commerce, imposed during the war, had been withdrawn on the part of Great Britain, so soon as the peace was concluded In like manner, a stipulation of the treaty of Amiens, providing that all sequestrations imposed on the property of French or of English, in the two contending countries, should be removed, was instantly complied with in Britain, but postponed and dallied with on the part of France.

The above were vexatious and offensive measures, intimating little respect for the Government of England, and no desire to cultivate her good will. They were perhaps adopted by the Chief Consul, in hopes of inducing Britain to make some sacrifices in order to obtain from his favour a commercial treaty, the advantages of which, according to his opinion of the English nation, was a boon calculated to make them quickly forgive the humiliating restrictions from which it would emancipate their trade. If this were any part of his policy, he was ignorant of the nature of the people to whom it was applied. It is the sluggish ox alone that is governed by a goad. But what gave the deepest offence and most lively alarm to Britain, was, that while Buonaparte declined affording the ordinary facilities for English commerce, it was his purpose, nevertheless, to establish a commercial agent in every part of the British dominions, whose ostensible duty was to watch over that very trade which the First Consul showed so little desire to encourage, but whose real business resembled that of an

accredited and privileged spy. These official persons were not only, by their instructions, directed to collect every possible information on commercial points, but also to furnish a plan of the ports of each district, with all the soundings, and to point out with what wind vessels could go out and enter with most ease, and at what draught of water the harbour might be entered by ships of burden. To add to the alarming character of such a set of agents, it was found that those invested with the office were military men and engineers.

Consuls thus nominated had reached Britain, but had not, in general, occupied the posts assigned to them, when the British Government, becoming informed of the duties they were expected to perform, announced to them, that any one who might repair to a British seaport under such a character, should be instantly ordered to quit the island. The secrecy with which these agents had been instructed to conduct themselves was so great, that one Fauvelet, to whom the office of commercial agent at Dublin had been assigned, and who had reached the place of his destination before the nature of the appointment was discovered, could not be found out by some persons who desired to make an affidavit before him as consul of France. It can be no wonder that the very worst impression was made on the public mind of Britain respecting the further projects of her late enemies, when it was evident that they availed themselves of the first moments of returning peace to procure, by an indirect and most suspicious course of proceeding, that species of information, which would be most useful to

France, and most dangerous to Britain, in the event of a renewed war.

While these grievances and circumstances of suspicion agitated the English nation, the daily press, which alternately acts upon public opinion, and is reacted upon by it, was loud and vehement. The personal character of the Chief Consul was severely treated; his measures of self-aggrandizement arraigned, his aggressions on the liberty of France, of Italy, and especially of Switzerland, held up to open day; while every instance of petty vexation and oppression practised upon British commerce or British subjects, was quoted as expressing his deep resentment against the only country which possessed the will and the power to counteract his acquiring the universal dominion of Europe.

There was at this period in Britain a large party of French Royalists, who, declining to return to France, or falling under the exceptions to the amnesty, regarded Buonaparte as their personal enemy, as well as the main obstacle to the restoration of the Bourbons, to which, but for him only, the people of France seemed otherwise more disposed than at any time since the commencement of the Revolution. These gentlemen found an able and active advocate of their cause in Monsieur Peltier, an emigrant, a determined royalist, and a man of that ready wit and vivacity of talent which is peculiarly calculated for periodical writing. He had opposed the democrats during the early days of the Revolution, by a publication termed the "Acts

of the Apostles;"[1] in which he held up to ridicule and execration the actions, pretensions, and principles of their leaders, with such success as induced Brissot to assert, that he had done more harm to the Republican cause than all the allied armies. At the present crisis, he commenced the publication of a weekly paper in London, in the French language, called *L'Ambigu*. The decoration at the top of the sheet was a head of Buonaparte, placed on the body of a Sphinx. This ornament being objected to after the first two or three numbers, the Sphinx appeared with the neck truncated; but, being still decked with the consular emblems, continued to intimate emblematically the allusion at once to Egypt, and to the ambiguous character of the First Consul. The columns of this paper were dedicated to the most severe attacks upon Buonaparte and the French Government; and as it was highly popular, from the general feelings of the English nation towards both, it was widely dispersed and generally read.

The torrent of satire and abuse poured forth from the English and Anglo-gallican periodical press, was calculated deeply to annoy and irritate the person against whom it was chiefly aimed. In England we are so much accustomed to see characters the most unimpeachable, nay, the most venerable, assailed by the daily press, that we account the

[1] [The "Actes des Apôtres," which appeared in 1790, and in the editing of which Peltier was assisted by Riverol, Champcenets, and the Viscount Mirabeau, was principally directed against the measures of the Constituent Assembly.]

individual guilty of folly, who, if he be innocent of giving cause for the scandal, takes it to heart more than a passenger would mind the barking of a dog, that yelps at every passing sound. But this is a sentiment acquired partly by habit, partly by our knowledge, that unsubstantiated scandal of this sort makes no impression on the public mind. Such indifference cannot be expected on the part of foreigners, who, in this particular, resemble horses introduced from neighbouring counties into the precincts of forest districts, where they are liable to be stung into madness by a peculiar species of gadfly, to which the race bred in the country are from habit almost totally indifferent.

If it be thus with foreigners in general, it must be supposed that from natural impatience of censure, as well as rendered susceptible and irritable by his course of uninterrupted success, Napoleon Buonaparte must have winced under the animated and sustained attacks upon his person and government, which appeared in the English newspapers, and Peltier's *Ambigu*. He attached at all times, as we have already had occasion to remark, much importance to the influence of the press, which in Paris he had taken under his own especial superintendence, and for which he himself often condescended to compose or correct paragraphs. To be assailed, therefore, by the whole body of British newspapers, almost as numerous as their navy, seems to have provoked him to the extremity of his patience; and resentment of these attacks aggravated the same hostile sentiments against England, which, from causes of suspicion already

mentioned, had begun to be engendered in the British public against France and her ruler.

Napoleon, in the mean time, endeavoured to answer in kind, and the columns of the *Moniteur* had many an angry and violent passage directed against England.[1] Answers, replies, and rejoinders passed rapidly across the Channel, inflaming and augmenting the hostile spirit, reciprocally entertained by the two countries against each other. But there was this great disadvantage on Buonaparte's side, that while the English might justly throw the blame of this scandalous warfare on the license of a free press, the Chief Consul could not transfer the responsibility of the attack on his side; because it was universally known, that the French periodical publications being under the most severe regulations, nothing could appear in them except what had received the previous sanction of the government. Every attack upon England, therefore, which was published in the French papers, was held to express the personal sentiments of the Chief Consul, who thus, by destroying the freedom

[1] ["I made the *Moniteur* the soul and life-blood of my government; it was the intermediate instrument of my communications with public opinion, both at home and abroad. Did any question arise respecting certain grand political combinations, or some delicate points of diplomacy? The objects were indirectly hinted at in the *Moniteur*. They instantly attracted universal attention, and became the topics of general investigation. The *Moniteur* has been reproached for the acrimony and virulence of its notes against the enemy: but before we condemn them, we are bound to take into consideration the benefits they may have produced, the anxiety with which they occasionally perplexed the enemy, the terror with which they struck a hesitating Cabinet." —NAPOLEON, *Las Cases*, t. iv. p. 186.]

of the French press, had rendered himself answerable for every such license as it was permitted to take.

It became speedily plain, that Buonaparte could reap no advantage from a contest in which he was to be the defendant in his own person, and to maintain a literary warfare with anonymous antagonists. He had recourse, therefore, to a demand upon the British Government, and, after various representations of milder import, caused his envoy, Monsieur Otto, to state in an official note the following distinct grievances:—First, the existence of a deep and continued system to injure the character of the First Consul, and prejudice the effect of his public measures, through the medium of the press: Secondly, the permission of a part of the Princes of the House of Bourbon, and their adherents, to remain in England, for the purpose, (it was alleged,) that they might hatch and encourage schemes against the life and government of the Chief Consul. It was therefore categorically demanded, 1st, That the British Government do put a stop to the publication of the abuse complained of, as affecting the head of the French Government. 2d, That the emigrants residing in Jersey be dismissed from England—that the bishops who had declined to resign their sees be also sent out of the country—that George Cadoudal be transported to Canada—that the Princes of the House of Bourbon be advised to repair to Warsaw, where the head of their family now resided—and, finally, that such emigrants who continued to wear the ancient badges and decorations of the French court, be also July 25.

compelled to leave England. Lest the British ministers should plead, that the constitution of their country precluded them from gratifying the First Consul in any of these demands, Monsieur Otto forestalled the objection, by reminding them, that the Alien Act gave them full power to exclude any foreigners from Great Britain at their pleasure.[1]

To this peremptory mandate, Lord Hawkesbury,[2] then minister for foreign affairs, instructed the British agent, Mr Merry, to make a reply, at once firm and conciliatory: avoiding the tone of pique and ill temper which is plainly to be traced in the French note, yet maintaining the dignity of the nation he represented. It was observed, that, if the French Government had reason to complain of the license of the English journals, the British Government had no less right to be dissatisfied with the retorts and recriminations which had been poured out from those of Paris; and that there was this remarkable feature of difference betwixt them, that the English Ministry neither had, could have, nor wished to have, any control over the freedom of the British press; whereas the *Moniteur*, in which the abuse of England had appeared, was the official organ of the French Government. But, finally upon this point, the British Monarch, it was said, would make no concession to any foreign power, at the expense of the freedom of the press.[3]

[1] [Annual Register, vol. xlv. p. 659.]

[2] [Afterwards Earl of Liverpool, and Prime Minister of England—who died early in 1827.]

[3] ["His Majesty cannot, and never will, in consequence of

If what was published was libellous or actionable, the printers and publishers were open to punishment, and all reasonable facilities would be afforded for prosecuting them. To the demands so peremptorily urged, respecting the emigrants, Lord Hawkesbury replied, by special answers applying to the different classes, but summed up in the general argument, that his Majesty neither encouraged them in any scheme against the French Government, nor did he believe there were any such in existence; and that while these unfortunate princes and their followers lived in conformity to the laws of Great Britain, and without affording nations with whom she was at peace any valid or sufficient cause of complaint, his Majesty would feel it inconsistent with his dignity, his honour, and the common laws of hospitality, to deprive them of that protection, which individuals resident within the British dominions could only forfeit by their own misconduct.[1]

To render these answers, being the only reply which an English Minister could have made to the demands of France, in some degree acceptable to

any representation or menace from a foreign power, make any concession which can be, in the smallest degree, dangerous to the liberty of the press, as secured by the constitution of the country—a liberty justly dear to every British subject."—*Annual Register*, vol. xlv. p. 664.]

[1] ["The French Government must have formed a most erroneous judgment of the disposition of the British nation, and of the character of its Government, if they have been taught to expect, that any representation of a foreign power will ever induce them to a violation of those rights on which the liberties of the people of this country are founded."—*Ibid*, p. 666.]

Buonaparte, Peltier was brought to trial[1] for a libel against the First Consul, at the instance of the Attorney-General. He was defended by Mr Mackintosh, (now Sir James,)[2] in one of the most brilliant speeches ever made at bar or in forum, in which the jury were reminded, that every press on the continent was enslaved, from Palermo to Hamburgh, and that they were now to vindicate the right we had ever asserted, to speak of men both at home and abroad, not according to their greatness, but their crimes.

The defendant was found guilty; but his cause might be considered as triumphant.[3] Accordingly, every part of the proceedings gave offence to Buonaparte. He had not desired to be righted by the English law, but by a vigour beyond the law. The publicity of the trial, the wit and eloquence of the advocate, were ill calculated to soothe the feelings of Buonaparte, who knew human nature, and the character of his usurped power, too well, to suppose that public discussion could be of service to him.[4] He had demanded darkness, the English

[1] [The trial took place in the Court of King's Bench, Feb. 21, before Lord Ellenborough and a special jury.]

[2] [The Right Hon. Sir James Mackintosh, died May 30, 1832.]

[3] He was never brought up to receive sentence, our quarrel with the French having soon afterwards come to an absolute rupture. [Peltier was a native of Nantes. On the restoration of the Bourbons, he returned to Paris, where he died in 1825.]

[4] ["Thence the resentment which Buonaparte felt against England. 'Every wind which blows,' said he, 'from that direction, brings nothing but contempt and hatred against my person.' From that time he concluded that the peace could not benefit him; that it would not leave him sufficient facility to aggrandize

Government had answered by giving him light; he had wished, like those who are conscious of flaws in their conduct, to suppress all censure of his measures, and by Peltier's trial, the British ministers had made the investigation of them a point of legal necessity. The First Consul felt the consciousness that he himself, rather than Peltier,[1] was tried before the British public, with a publicity which could not fail to blaze abroad the discussion. Far from conceiving himself obliged by the species of atonement which had been offered him, he deemed the offence of the original publication was greatly aggravated, and placed it now directly to the account of the English ministers, of whom he could never be made to understand, that they had afforded him the only remedy in their power.

The paragraphs hostile to England in the *Moniteur* were continued; an English paper called the *Argus*, conducted by Irish refugees, was printed at Paris, under permission of the Government, for the purpose of assailing Britain with additional abuse, while the fire was returned from the English side of the Channel, with double vehemence and tenfold success. These were ominous precursors to a state of peace, and more grounds of misunderstanding were daily added.

his dominion externally, and would impede the extension of his internal power; that, moreover, our daily relations with England modified our political ideas and revived our thoughts of liberty." —Fouché, t. i. p. 257.]

[1] ["When Napoleon was shown, at St Helena, some numbers of *L'Ambigu*, he said, 'Ah! Peltier. He has been libelling me these twenty years: but I am very glad to get them.'" —O'Meara, vol. i. p. 385.]

The new discussions related chiefly to the execution of the treaty of Amiens, in which the English Government showed no promptitude. Most of the French colonies, it is true, had been restored; but the Cape, and the other Batavian settlements, above all, the island of Malta, were still possessed by the British forces. At common law, if the expression may be used, England was bound instantly to redeem her engagement, by ceding these possessions, and thus fulfilling the articles of the treaty. In equity, she had a good defence; since in policy for herself and Europe, she was bound to decline the cession at all risks.

The recent acquisitions of France on the continent, afforded the plea of equity to which we have alluded. It was founded on the principle adopted at the treaty of Amiens, that great Britain should, out of her conquests over the enemy's foreign settlements, retain so much as to counterbalance, in some measure, the power which France had acquired in Europe. This principle being once established, it followed that the compact at Amiens had reference to the then existing state of things; and since, after that period, France had extended her sway over Italy and Piedmont, England became thereby entitled to retain an additional compensation, in consequence of France's additional acquisitions. This was the true and simple position of the case; France had innovated upon the state of things which existed when the treaty was made, and England might, therefore, in justice, claim an equitable right to innovate upon the treaty itself, by refusing to make surrender of what had been promised in other

and very different circumstances. Perhaps it had been better to fix upon this obvious principle, as the ground of declining to surrender such British conquests as were not yet given up, unless France consented to relinquish the power which she had usurped upon the continent. This, however, would have produced instant war; and the Ministers were naturally loath to abandon the prospect of prolonging the peace which had been so lately established, or to draw their pen through the treaty of Amiens, while the ink with which it was written was still moist. They yielded, therefore, in a great measure. The Cape of Good Hope and the Dutch colonies were restored, Alexandria was evacuated, and the Ministers confined their discussions with France to the island of Malta only; and, condescending still farther, declared themselves ready to concede even this last point of discussion, providing a sufficient guarantee should be obtained for this important citadel of the Mediterranean being retained in neutral hands. The Order itself was in no respect adequate to the purpose; and as to the proposed Neapolitan garrison, (none of the most trustworthy in any case,) France, by her encroachments in Italy, had become so near and so formidable a neighbour to the King of Naples, that, by a threat of invasion of his capital, she might have compelled him to deliver up Malta upon a very brief notice. All this was urged on the part of Britain. The French Ministry, on the other hand, pressed for literal execution of the treaty. After some diplomatic evasions had been resorted to, it appeared as if the cession could be no longer deferred, when a publi-

cation appeared in the *Moniteur* [Jan. 30, 1803] which roused to a high pitch the suspicions as well as the indignation of the British nation.

The publication alluded to was a report of General Sebastiani. This officer had been sent as the emissary of the First Consul, to various Mahommedan courts in Asia and Africa, in all of which it seems to have been his object, not only to exalt the greatness of his master, but to misrepresent and degrade the character of England. He had visited Egypt, of which, with its fortresses, and the troops that defended them, he had made a complete survey. He then waited upon Djezzar Pacha, and gives a flattering account of his reception, and of the high esteem in which Djezzar held the First Consul, whom he had so many reasons for wishing well to. At the Ionian Islands, he harangued the natives, and assured them of the protection of Buonaparte. The whole report is full of the most hostile expressions towards England, and accuses General Stuart of having encouraged the Turks to assassinate the writer. Wherever Sebastiani went, he states himself to have interfered in the factions and quarrels of the country; he enquired into its forces; renewed old intimacies, or made new ones with leading persons; enhanced his master's power, and was liberal in promises of French aid. He concludes, that a French army of six thousand men would be sufficient to conquer Egypt, and that the Ionian Islands were altogether attached to the French interest.[1]

[1] [For a copy of Sebastiani's report to the First Consul, see Annual Register, vol. xlv. p. 742.]

The publication of this report, which seemed as if Buonaparte were blazoning forth to the world his unaltered determination to persist in his Eastern projects of colonization and conquest, would have rendered it an act of treason in the English Ministers, if, by the cession of Malta, they had put into his hand, or at least placed within his grasp, the readiest means of carrying into execution those gigantic schemes of ambition, which had for their ultimate, perhaps their most desired object, the destruction of the Indian commerce of Britain.

As it were by way of corollary to the gasconading journal of Sebastiani, an elaborate account of the forces, and natural advantages of France, was published at the same period, which, in order that there might be no doubt concerning the purpose of its appearance at this crisis, was summed up by the express conclusion, "that Britain was unable to contend with France single-handed."[1] This tone of defiance, officially adopted at such a moment, added not a little to the resentment of the English nation, not accustomed to decline a challenge or endure an insult.

The Court of Britain on the appearance of this Report on the State of France, together with that of Sebastiani, drawn up and subscribed by an official agent, containing insinuations totally void of

[1] ["Whatever success intrigues may experience in London, no other people will be involved in new combinations. The government says, with conscious truth, that England, single-handed, cannot maintain a struggle against France."—*View of the State of the Republic, Feb.* 22, 1803. See Annual Register, vol. xlv. p. 760.]

foundation, and disclosing intrigues inconsistent with the preservation of peace, and the objects for which peace had been made, declared that the King would enter into no farther discussion on the subject of Malta, until his Majesty had received the most ample satisfaction for this new and singular aggression.[1]

While things were thus rapidly approaching to a rupture, the Chief Consul adopted the unusual resolution, of himself entering personally into conference with the British ambassador. He probably took this determination upon the same grounds which dictated his contempt of customary forms, in entering, or attempting to enter, into direct correspondence with the princes whom he had occasion to treat with. Such a deviation from the established mode of procedure seemed to mark his elevation above ordinary rules, and would afford him, he might think, an opportunity of bearing down the British ambassador's reasoning, by exhibiting one of those bursts of passion, to which he had been accustomed to see most men give way.

It would have been more prudent in Napoleon, to have left the conduct of the negotiation to Talleyrand.[2] A sovereign cannot enter in person upon such conferences, unless with the previous

[1] [See Declaration, dated Westminster, May 18, 1803; Annual Register, vol. xlv. p. 742.]

[2] ["The conference with Lord Whitworth proved for me a lesson which altered my method for ever. From this moment I never treated officially, of political affairs, but through the intervention of my minister for foreign affairs. He, at any rate, could give a positive and formal denial, which the sovereign could not do."—NAPOLEON, t. iv. p. 156.]

determination of adhering precisely and finally to whatever ultimatum he has to propose. He cannot, without a compromise of dignity, chaffer or capitulate, or even argue, and of course is incapable of wielding any of the usual, and almost indispensable weapons of negotiators. If it was Napoleon's expectation, by one stunning and emphatic declaration of his pleasure, to beat down all arguments, and confound all opposition, he would have done wisely to remember, that he was not now, as in other cases, a general upon a victorious field of battle, dictating terms to a defeated enemy; but was treating upon a footing of equality with Britain, the mistress of the seas, possessing strength as formidable as his own, though of a different character, and whose prince and people were far more likely to be incensed than intimidated by any menaces which his passion might throw out.

The character of the English ambassador was as unfavourable for the Chief Consul's probable purpose, as that of the nation he represented. Lord Whitworth was possessed of great experience and sagacity.[1] His integrity and honour were undoubted; and, with the highest degree of courage, he had a calm and collected disposition, admirably calculated to give him the advantage in any discussion with an antagonist of a fiery, impatient, and overbearing temper.

We will make no apology for dwelling at

[1] [Lord Whitworth had been, successively,—in 1786, minister plenipotentiary at Warsaw,—in 1788, envoy extraordinary and minister plenipotentiary to St Petersburgh,—and, in 1800, minister plenipotentiary to the court of Denmark.]

unusual length on the conferences betwixt the First Consul and Lord Whitworth, as they are strikingly illustrative of the character of Buonaparte, and were in their consequences decisive of his fate, and that of the world.

Their first interview of a political nature took place in the Tuileries, 17th February, 1803. Buonaparte, having announced that this meeting was for the purpose of "making his sentiments known to the King of England in a clear and authentic manner," proceeded to talk incessantly for the space of nearly two hours, not without considerable incoherence, his temper rising as he dwelt on the alleged causes of complaint which he preferred against England, though not so much or so incautiously as to make him drop the usual tone of courtesy to the ambassador.

He complained of the delay of the British in evacuating Alexandria and Malta; cutting short all discussion on the latter subject, by declaring he would as soon agree to Britain's possessing the suburb of St Antoine as that island. He then referred to the abuse thrown upon him by the English papers, but more especially by those French journals published in London. He affirmed that Georges and other Chouan chiefs, whom he accused of designs against his life, received relief or shelter in England; and that two assassins had been apprehended in Normandy, sent over by the French emigrants to murder him. This, he said, would be publicly proved in a court of justice. From this point he diverged to Egypt, of which he affirmed he could make himself master whenever he had a

mind; but that he considered it too paltry a stake to renew the war for. Yet while on this subject, he suffered it to escape him, that the idea of recovering this favourite colony was only postponed, not abandoned. "Egypt," he said, "must sooner or later belong to France, either by the falling to pieces of the Turkish government, or in consequence of some agreement with the Porte."[1] In evidence of his peaceable intentions, he asked, what he should gain by going to war, since he had no means of acting offensively against England, except by a descent, of which he acknowledged the hazard in the strongest terms. The chances, he said, were a hundred to one against him; and yet he declared that the attempt should be made if he were now obliged to go to war. He extolled the power of both countries. The army of France, he said, should be soon recruited to four hundred and eighty thousand men; and the fleets of England were such as he could not propose to match within the space of ten years at least. United, the two countries might govern the world, would they but understand each other. Had he found, he said, the least cordiality on the part of England, she should have had indemnities assigned her upon the conti-

[1] ["If Buonaparte had wished for the maintenance of peace, he would sedulously have avoided giving umbrage and inquietude to England, with regard to its Indian possessions, and would have abstained from applauding the rhodomontades about the mission of Sebastiani into Syria and Turkey. His imprudent conversation with Lord Whitworth accelerated the rupture. I foresaw, from that time, that he would quickly pass from a certain degree of moderation, as chief of the government, to acts of exaggeration, violence, and even rage."—Fouché, t. i. p. 259.]

nent, treaties of commerce, all that she could wish or desire. But he confessed that his irritation increased daily, "since every gale that blew from England, brought nothing but enmity and hatred against him."

He then made an excursive digression, in which, taking a review of the nations of Europe, he contended that England could hope for assistance from none of them in a war with France. In the total result, he demanded the instant implement of the treaty of Amiens, and the suppression of the abuse in the English papers. War was the alternative.

During this excursive piece of declamation, which the First Consul delivered with great rapidity, Lord Whitworth, notwithstanding the interview lasted two hours, had scarcely time to slide in a few words in reply or explanation. As he endeavoured to state the new grounds of mistrust which induced the King of England to demand more advantageous terms, in consequence of the accession of territory and influence which France had lately made, Napoleon interrupted him—"I suppose you mean Piedmont and Switzerland—they are trifling occurrences, which must have been foreseen while the negotiation was in dependence. You have no right to recur to them at this time of day." To the hint of indemnities which might be allotted to England out of the general spoil of Europe, if she would cultivate the friendship of Buonaparte, Lord Whitworth nobly answered, that the King of Britain's ambition led him to preserve what was his, not to acquire that which belonged to others. They parted with civility, but with a

conviction on Lord Whitworth's part, that Buonaparte would never resign his claim to the possession of Malta.[1]

The British Ministry were of the same opinion; for a Message was sent down by his Majesty to the House of Commons, stating, that he had occasion for additional aid to enable him to defend his dominions, in case of an encroachment on the part of France. A reason was given, which injured the cause of the Ministers, by placing the vindication of their measures upon simulated grounds;—it was stated, that these apprehensions arose from "military preparations carrying on in the ports of France and Holland."[2] No such preparations had been complained of during the intercourse between the ministers of France and England,—in truth, none such existed to any considerable extent,—and in so far, the British ministers gave the advantage to the French, by not resting the cause of their country on the just and true grounds. All, however, were sensible of the real merits of the dispute, which were grounded on the grasping and inordinate ambition of the French ruler, and the sentiments of dislike and irritation with which he seemed to regard Great Britain. March 8.

The charge of the pretended naval preparations being triumphantly refuted by France, Talleyrand was next employed to place before Lord Whitworth the means which, in case of a rupture,

[1] [See Extract of a Despatch from Lord Whitworth to Lord Hawkesbury, dated Paris, Feb. 17; Annual Register, vol. xlv. p. 685.]

[2] [Annual Register, vol. xlv. p. 646.]

France possessed of wounding England, not directly, indeed, but through the sides of those states of Europe whom she would most wish to see, if not absolutely independent, yet unoppressed by military exactions. "It was *natural*," a note of this statesman asserted, "that Britain being armed in consequence of the King's message, France should arm also—that she should send an army into Holland—form an encampment on the frontiers of Hanover—continue to maintain troops in Switzerland—march others to the south of Italy, and, finally, form encampments upon the coast."[1] All these threats, excepting the last, referred to distant and to neutral nations, who were not alleged to have themselves given any cause of complaint to France; but who were now to be subjected to military occupation and exaction, because Britain desired to see them happy and independent, and because harassing and oppressing them must be in proportion unpleasing to her. It was an entirely new principle of warlike policy, which introduced the oppression of unoffending and neutral neighbours as a legitimate mode of carrying on war against a hostile power, against whom there was little possibility of using measures directly offensive.

Shortly after this note had been lodged, Buonaparte, incensed at the message of the King to Parliament, seems to have formed the scheme of bringing the protracted negotiations betwixt France and England to a point, in a time, place, and man-

[1] [Annual Register, vol. xlv. p. 697.]

ner, equally extraordinary. At a public court held at the Tuileries, on the 13th March, the Chief Consul came up to Lord Whitworth in considerable agitation, and observed aloud, and within hearing of the circle,—"You are then determined on war?"—and, without attending to the disclamations of the English ambassador, proceeded,—"We have been at war for fifteen years—you are determined on hostility for fifteen years more—and you force me to it."[1] He then addressed Count Marcow and the Chevalier Azara—"The English wish for war; but if they draw the sword first, I will be the last to return it to the scabbard. They do not respect treaties, which henceforth we must cover with black crape."[2] He then again addressed Lord Whitworth—"To what purpose are these armaments? Against whom do you take these measures of precaution? I have not a single ship of the line in any port in France:—But if you arm, I too will take up arms—if you fight, I will fight—you may destroy France, but you cannot intimidate her."

"We desire neither the one nor the other," answered Lord Whitworth, calmly: "We desire to live with her on terms of good intelligence."

"You must respect treaties, then," said Buona-

[1] ["Nous avons," said he, "déjà fait la guerre pendant quinze ans." As he seemed to wait for an answer, I observed only, "C'en est déjà trop."—"Mais," said he, "vous voulez la faire encore quinze années; et vous m'y forcez."—LORD WHITWORTH to LORD HAWKESBURY; see *Annual Register*, vol. xlv. p. 696.]

[2] ["Ils ne respectent pas les traités: il faut dorénavant les couvrir de crêpe noir."]

parte, sternly. "Wo to those by whom they are not respected! They will be accountable for the consequences to all Europe."

So saying, and repeating his last remark twice over, he retired from the levee, leaving the whole circle surprised at the want of decency and dignity which had given rise to such a scene.[1]

This remarkable explosion may be easily explained, if we refer it entirely to the impatience of a fiery temper, rendered, by the most extraordinary train of success, morbidly sensitive to any obstacle which interfered with a favourite plan; and, doubtless, it is not the least evil of arbitrary power, that he who possesses it is naturally tempted to mix up his own feelings of anger, revenge, or mortification, in affairs which ought to be treated under the most calm and impartial reference to the public good exclusively. But it has been averred by those who had best opportunity to know Buonaparte, that the fits of violent passion which he sometimes displayed, were less the bursts of unrepressed and constitutional irritability, than means previously calculated upon to intimidate and astound those with whom he was treating at the time. There may, therefore, have been policy amid the First Consul's indignation, and he may have recollected, that the dashing to pieces Co-

[1] ["The ambassador made a respectful bow, and gave no reply. The First Consul left that part of the saloon; but whether he had been a little heated by this explosion of ill-humour, or from some other cause, he ceased his round, and withdrew to his own apartments. Madame Buonaparte followed; and in an instant the saloon was cleared of company."—SAVARY, t. i. p. 307.]

benzel's china jar in the violent scene which preceded the signing of the treaty of Campo Formio,[1] was completely successful in its issue. But the condition of Britain was very different from that of Austria, and he might have broken all the porcelain at St Cloud without making the slightest impression on the equanimity of Lord Whitworth. This "angry parle," therefore, went for nothing, unless in so far as it was considered as cutting off the faint remaining hope of peace, and expressing the violent and obstinate temper of the individual, upon whose pleasure, whether originating in judgment or caprice, the fate of Europe at this important crisis unhappily depended. In England, the interview at the Tuileries, where Britain was held to be insulted in the person of her ambassador and that in the presence of the representatives of all Europe, greatly augmented the general spirit of resentment.[2]

Talleyrand, to whom Lord Whitworth applied for an explanation of the scene which had occurred, only answered, that the First Consul, publicly

[1] See *ante*, vol. x. p. 252. ["It is to be remarked, that all this passed loud enough to be heard by two hundred people who were present; and I am persuaded that there was not a single person who did not feel the impropriety of the First Consul's conduct, and the total want of dignity, as well as of decency, on the occasion."—LORD WHITWORTH.]

[2] ["It is utterly incorrect, that any thing occurred in the course of our interview, which was not in conformity with the common rules of decorum. Lord Whitworth himself, after our conference, being in company with other ambassadors, expressed himself perfectly satisfied, and added, that he had no doubt all things would be satisfactorily settled."—NAPOLEON, *Las Cases*, t. iv. p. 157.]

affronted, as he conceived himself, desired to exculpate himself in presence of the ministers of all the powers of Europe.[1] The question of peace or war came now to turn on the subject of Malta. The retention of this fortress by the English could infer no danger to France; whereas, if parted with by them under an insecure guarantee, the great probability of its falling into the hands of France, was a subject of the most legitimate jealousy to Britain, who must always have regarded the occupation of Malta as a preliminary step to the recapture of Egypt. There seemed policy, therefore, in Napoleon's conceding this point, and obtaining for France that respite, which, while it regained her colonies and recruited her commerce, would have afforded her the means of renewing a navy, which had been almost totally destroyed during the war, and consequently of engaging England, at some future and propitious time, on the element which she called peculiarly her own. It was accordingly supposed to be Talleyrand's opinion, that, by giving way to England on the subject of Malta, Napoleon ought to lull her suspicions to sleep.

Yet there were strong reasons, besides the military character of Buonaparte, which might induce the First Consul to break off negotiation. His empire was founded on the general opinion entertained of his inflexibility of purpose, and of his unvaried success, alike in political objects as in the field of battle. Were he to concede the principle

[1] [For a copy of NAPOLEON'S INSTRUCTIONS TO TALLEYRAND, see *Appendix* to this volume, No. II.]

which England now contested with him in the face of Europe, it would have in a certain degree derogated from the preeminence of the situation he claimed, as autocrat of the civilized world. In that character he could not recede an inch from pretensions which he had once asserted. To have allowed that his encroachment on Switzerland and Piedmont rendered it necessary that he should grant a compensation to England, by consenting to her retention of Malta, would have been to grant that Britain had still a right to interfere in the affairs of the continent, and to point her out to nations disposed to throw off the French yoke, as a power to whose mediation he still owed some deference. These reasons were not without force in themselves, and, joined to the natural impetuosity of Buonaparte's temper, irritated and stung by the attacks in the English papers, had their weight probably in inducing him to give way to that sally of resentment, by which he endeavoured to cut short the debate, as he would have brought up his guard in person to decide the fate of a long-disputed action.

Some lingering and hopeless attempts were made to carry on negotiations. The English Ministry lowered their claim of retaining Malta in perpetuity, to their right of holding it for ten years. Buonaparte, on the other hand, would listen to no modification of the treaty of Amiens, but offered, as the guarantee afforded by the occupation of Neapolitan troops was objected to, that the garrison should consist of Russians or Austrians. To this proposal Britain would not accede. Lord

Whitworth left Paris, and, on the 18th May, 1803, Britain declared war against France.

Before we proceed to detail the history of this eventful struggle, we must cast our eyes backwards, and review some events of importance which had happened in France since the conclusion of the treaty of Amiens.

CHAPTER XXVI.

St Domingo.—The Negroes split into parties under different Chiefs.—Toussaint L'Ouverture the most distinguished of these.—Appoints a Consular Government.—France sends an Expedition against St Domingo, under General Leclerc, in December 1801.—*Toussaint submits.—He is sent to France, where he dies.—The French are assaulted by the Negroes.—Leclerc is succeeded by Rochambeau.—The French finally obliged to capitulate to an English Squadron.—Buonaparte's scheme to consolidate his power.—The Consular Guard augmented.—Legion of Honour.—Opposition formed against the Consular Government.—Application to the Count de Provence (Louis XVIII.)*

WHEN the treaty of Amiens appeared to have restored peace to Europe, one of Buonaparte's first enterprises was to attempt the recovery of the French possessions in the large, rich, and valuable colony of St Domingo, the disasters of which island form a terrible episode in the history of the war.

The convulsions of the French Revolution had reached St Domingo, and, catching like fire to combustibles, had bred a violent feud between the white people in the island, and the mulattoes, the latter of whom demanded to be admitted into the privileges and immunities of the former; the newly established rights of men, as they alleged, having

no reference to the distinction of colour. While the whites and the people of colour were thus engaged in a civil war, the negro slaves, the most oppressed and most numerous class of the population, rose against both parties, and rendered the whole island one scene of bloodshed and conflagration. The few planters who remained invited the support of the British arms, which easily effected a temporary conquest. But the European soldiery perished so fast through the influence of the climate, that, in 1798, the English were glad to abandon an island which had proved the grave of so many of her best and bravest, who had fallen without a wound, and void of renown.

The negroes, left to themselves, divided into different parties, who submitted to the authority of chiefs more or less independent of each other, many of whom displayed considerable talent. Of these, the principal leader was Toussaint L'Ouverture, who, after waging war like a savage, appears to have used the power which victory procured him with much political skill. Although himself a negro, he had the sagacity to perceive how important it was for the civilisation of his subjects, that they should not be deprived of the opportunities of knowledge, and examples of industry, afforded them by the white people. He, therefore, protected and encouraged the latter, and established, as an equitable regulation, that the blacks, now freemen, should nevertheless continue to labour the plantations of the white colonists, while the produce of the estate should be divided in certain proportions betwixt the white proprietor and the sable cultivator.

The least transgressions of these regulations he punished with African ferocity. On one occasion, a white female, the owner of a plantation, had been murdered by the negroes by whom it was laboured, and who had formerly been her slaves. Toussaint marched to the spot at the head of a party of his horse-guards, collected the negroes belonging to the plantation, and surrounded them with his black cavalry, who, after a very brief enquiry, received orders to charge and cut them to pieces; of which order our informant witnessed the execution. His unrelenting rigour, joined to his natural sagacity, soon raised Toussaint to the chief command of the island; and he availed himself of the maritime peace, to consolidate his authority by establishing a constitution on the model most lately approved of in France, which being that of the year Eight, consisted of a consular government. Toussaint failed not, of course, to assume the supreme government to himself, with power to name his successor. The whole was a parody on the procedure of Buonaparte, which, doubtless, the latter was not highly pleased with;[1] for there are many cases in which an imitation by others, of the conduct we ourselves have held, is a matter not of compliment, but of the most severe satire. The constitution of St Domingo was instantly put in force, although,

[1] ["To give an idea of the indignation which the First Consul must have felt, it may suffice to mention, that Toussaint not only assumed authority over the colony during his life, but invested himself with the right of naming his successor; and pretended to hold his authority, not from the mother-country, but from a *soi-disant* colonial assembly which he had created."—Napoleon, *Montholon*, t. i. p. 203.]

with an ostensible deference to France, the sanction of her Government had been ceremoniously required. It was evident that the African, though not unwilling to acknowledge some nominal degree of sovereignty on the part of France, was determined to retain in his own hands the effective government of the colony. But this in no respect consisted with the plans of Buonaparte, who was impatient to restore to France those possessions of which the British naval superiority had so long deprived her—colonies, shipping, and commerce.[1]

A powerful expedition was fitted out at the harbours of Brest, L'Orient, and Rochefort, destined to restore St Domingo in full subjection to the French empire. The fleet amounted to thirty-four ships bearing forty guns and upwards, with more than twenty frigates and smaller armed vessels. They had on board above twenty thousand men, and General Leclerc, the brother-in-law of the First Consul, was named commander-in-chief of the expedition, having a staff composed of officers of acknowledged skill and bravery.

It is said that Buonaparte had the art to employ a considerable proportion of the troops which

[1] [" The party of the colonists was very powerful in Paris: public opinion required the possession of St Domingo. On the other hand, the First Consul was not sorry to dissipate the apprehensions of the English, by sending 15,000 men to St Domingo. These 15,000 men would have succeeded, had it not been for the yellow fever. If Toussaint, Dessalines, and Christophe had chosen to submit, they would have secured their liberty, rank, and fortune, as well as those of the people of their colour; the freedom of the blacks would have been securely confirmed."—NAPOLEON, *Montholon*, t. ii. p. 218.]

composed the late army of the Rhine, in this distant expedition to an insalubrious climate.[1] But he would not permit it to be supposed, that there was the least danger; and he exercised an act of family authority on the subject, to prove that such were his real sentiments. His sister, the beautiful Pauline, afterwards the wife of Prince Borghese, showed the utmost reluctance to accompany her present husband, General Leclerc, upon the expedition, and only went on board when actually compelled to do so by the positive orders of the First Consul, who, although she was his favourite sister, was yet better contented that she should share the general risk, than, by remaining behind, leave it to be inferred that he himself augured a disastrous conclusion to the expedition.

The armament set sail on the 14th of December, 1801, while an English squadron of observation, uncertain of their purpose, waited upon and watched their progress to the West Indies. The French fleet presented themselves before Cape François, on the 29th of January, 1802.

Toussaint, summoned to surrender, seemed at first inclined to come to an agreement, terrified probably by the great force of the expedition, which

[1] ["The First Consul ardently seized the happy opportunity of sending away a great number of officers, formed in the school of Moreau, whose reputation pained him, and whose influence with the army, if not a subject of alarm, was at least to him one of restraint and inquietude. 'Well,' said Buonaparte to me one day, 'your Jacobins malignantly say, that they are the soldiers and friends of Moreau whom I am sending to perish at St Domingo; they are grumbling maniacs; let them talk on.'"—Fouché, t. i. p. 217.]

time and the climate could alone afford the negroes any chance of resisting. A letter was delivered to him from the First Consul, expressing esteem for his person; and General Leclerc offered him the most favourable terms, together with the situation of lieutenant-governor. Ultimately, however, Toussaint could not make up his mind to trust the French, and he determined upon resistance, which he managed with considerable skill. Nevertheless, the well-concerted military operations of the whites soon overpowered for the present the resistance of Toussaint and his followers. Chief after chief surrendered, and submitted themselves to General Leclerc. At length, Toussaint L'Ouverture himself seems to have despaired of being able to make further or more effectual resistance. He made his formal submission, and received and accepted Leclerc's pardon, under the condition that he should retire to a plantation at Gonaives, and never leave it without permission of the commander-in-chief.

The French had not long had possession of the colony, ere they discovered, or supposed they had discovered, symptoms of a conspiracy amongst the negroes, and Toussaint was, on very slight grounds, accused as encouraging a revolt. Under this allegation, the only proof of which was a letter, capable of an innocent interpretation, the unfortunate chief was seized upon, with his whole family, and put on board of a vessel bound to France. Nothing official was ever learned concerning his fate, further than that he was imprisoned in the Castle of Joux, in Franche Compté, where the unhappy African

fell a victim to the severity of an Alpine climate,[1] to which he was unaccustomed, and the privations of a close confinement. The deed has been often quoted and referred to as one of the worst actions of Buonaparte, who ought, if not in justice, in generosity at least, to have had compassion on the man, whose fortunes bore in many respects a strong similarity to his own. It afforded but too strong a proof, that though humanity was often in Napoleon's mouth, and sometimes displayed in his actions, yet its maxims were seldom found sufficient to protect those whom he disliked or feared, from the fate which tyranny most willingly assigns to its victims, that of being silently removed from the living world, and enclosed in their prison as in a tomb, from which no complaints can be heard, and where they are to await the slow approach of death, like men who are literally buried alive.

The perfidy with which the French had conducted themselves towards Toussaint, was visited

[1] [Anxiety, age, and a climate too severe for his constitution, soon put an end to his days. He died on April 27, 1803, after a captivity of ten months. His mysterious fate excited great interest—witness the noble sonnet of Wordsworth :—

TOUSSAINT! the most unhappy man of men!
Whether the all-cheering sun be free to shed
His beams around thee, or thou rest thy head
Pillowed in some dark dungeon's noisome den—
O, miserable chieftain! where and when
Wilt thou find patience ?—Yet die not; do thou
Wear rather in thy bonds a cheerful brow:
Though fallen thyself, never to rise again,
Live and take comfort. Thou hast left behind
Powers that will work for thee—Air, Earth, and Skies;
There's not a breathing of the common wind
That will forget thee; thou hast great allies;
Thy friends are Exultations, Agonies,
And Love, and Man's unconquerable Mind."]

by early vengeance. That scourge of Europeans, the yellow fever, broke out among their troops, and in an incredibly short space of time swept off General Leclerc,[1] with many of his best officers and bravest soldiers. The negroes, incensed at the conduct of the governor towards Toussaint, and encouraged by the sickly condition of the French army, rose upon them in every quarter. A species of war ensued, of which we are thankful it is not our task to trace the deplorable and ghastly particulars. The cruelty which was perhaps to be expected in the savage Africans, just broke *loose* from the bondage of slavery, communicated itself to the civilized French. If the former tore *out* their prisoners' eyes with cork-screws, the latter drowned their captives by hundreds, which imitation of Carrier's republican baptism they called "deportation into the sea." On other occasions, numerous bodies of negroes were confined in hulks, and there smothered to death with the fumes of lighted sulphur. The issue of this hellish warfare was, that the cruelty of the French enraged, instead of terrifying their savage antagonists; and *at* length, that the numbers of the former diminished

[1] ["Leclerc was an officer of the first merit, equally skilful in the labours of the cabinet and in the manœuvres of the field of battle: he had served in the campaigns of 1796 and 1797 as adjutant-general to Napoleon; and in that of 1799 as a general of division under Moreau. He commanded at the battle of Freisingen, where he defeated the Archduke Ferdinand; he led into Spain an army of observation, of 20,000 men, intended to act against Portugal; finally, in this expedition of St Domingo, he displayed great talent and activity."—NAPOLEON, t. i. p. 211.]

by disease and constant skirmishing, became unequal to the defence even of the garrison towns of the island, much more so to the task of reconquering it. General Rochambeau, who succeeded Leclerc as commander-in-chief, was finally obliged to save the poor wreck of that fine army, by submitting at discretion to an English squadron, 1st December, 1803. Thus was the richest colony in the West Indies finally lost to France.[1] Remaining entirely in the possession of the black population, St Domingo will show, in process of time, how far the natives of Africa, having European civilisation within their reach, are capable of forming a state, governed by the usual rules of polity.

While Buonaparte made these strong efforts for repossessing France in this fine colony, it was not to be supposed that he was neglecting the establishment of his own power upon a more firm basis. His present situation was—like every other in life—considerably short of what he could have desired, though so infinitely superior to all that his most unreasonable wishes could at one time have aspired to. He had all the real power of royalty, and, since the settlement of his authority for life, he had daily assumed more of the pomp and circumstance with which sovereignty is usually invested. The Tuileries were once more surrounded with guards without, and filled by levees within. The ceremonial of a court was revived, and Buo-

[1] ["I have to reproach myself with the attempt made upon the colony during the Consulship. The design of reducing it by force was a great error. I ought to have been satisfied with governing it through the medium of Toussaint."—NAPOLEON, *Las Cases*, t. iv. p. 171.]

naparte, judging of mankind with accuracy, neglected no minute observance by which the princes of the earth are wont to enforce their authority. Still there remained much to be done. He held the sovereignty only in the nature of a life-rent. He could, indeed, dispose of it by will, but the last wills even of kings have been frequently set aside; and, at any rate, the privilege comes short of that belonging to an hereditary crown, which descends by the right of blood from one possessor to another, so that in one sense it may be said to confer on the dynasty a species of immortality. Buonaparte knew also the virtue of names. The title of Chief Consul did not necessarily infer sovereign rights—it might signify every thing, or it might signify nothing—in common language it inferred alike one of the annual executive governors of the Roman Republic, whose *fasces* swayed the world, or the petty resident who presides over commercial affairs in a foreign seaport. There were no precise ideas of power or rights necessarily and unalienably connected with it. Besides, Buonaparte had other objections to his present title of dignity. The title of First Consul implied, that there were two others,—far, indeed, from being co-ordinate with Napoleon, but yet who occupied a higher rank on the steps of the throne, and approached his person more nearly than he could have desired. Again, the word reminded the hearer, even by the new mode of its application, that it belonged to a government of recent establishment, and of revolutionary origin, and Napoleon did not wish to pre-

sent such ideas to the public mind; since that which was but lately erected might be easily destroyed, and that which last arose out of the revolutionary cauldron, might, like the phantoms which had preceded it, give place in its turn to an apparition more potent. Policy seemed to recommend to him, to have recourse to the ancient model which Europe had been long accustomed to reverence; to adopt the form of government best known and longest established through the greater part of the world; and, assuming the title and rights of a monarch, to take his place among the ancient and recognised authorities of Europe.

It was necessary to proceed with the utmost caution in this innovation, which, whenever accomplished, must necessarily involve the French people in the notable inconsistency, of having murdered the descendant of their old princes, committed a thousand crimes, and suffered under a mass of misery, merely because they were resolved not to permit the existence of that crown, which was now to be placed on the head of a soldier of fortune. Before, therefore, he could venture on this bold measure, in which, were it but for very shame's sake, he must be certain of great opposition, Buonaparte endeavoured, by every means in his power, to strengthen himself in his government.

The army was carefully new-modelled, so as to make it as much as possible his own; and the French soldiers, who regarded the power of Buonaparte as the fruit of their own victories, were in general devoted to his cause, notwithstanding the fame of Moreau, to whom a certain part of their

number still adhered. The consular guard, a highly privileged body of select forces, was augmented to the number of six thousand men. These formidable legions, which included troops of every species of arms, had been gradually formed and increased upon the plan of the corps of guides which Buonaparte introduced during the first Italian campaigns, for immediate attendance on his person, and for preventing such accidents as once or twice had like to have befallen him, by unexpected encounters with flying parties of the enemy. But the guards, as now increased in numbers, had a duty much more extended. They were chosen men, taught to consider themselves as superior to the rest of the army, and enjoying advantages in pay and privileges. When the other troops were subject to privations, care was taken that the guards should experience as little of them as possible, and that by every possible exertion they should be kept in the highest degree of readiness for action. They were only employed upon service of the utmost importance, and seldom in the beginning of an engagement, when they remained in reserve under the eye of Napoleon himself. It was usually by means of his guard that the final and decisive exertion was made which marked Buonaparte's tactics, and so often achieved victory at the very crisis when it seemed inclining to the enemy. Regarding themselves as considerably superior to the other soldiers, and accustomed also to be under Napoleon's immediate command, his guards were devotedly attached to him; and a body of troops of such high character might be considered as a

formidable bulwark around the throne which he meditated ascending.

The attachment of these chosen legions, and of his soldiers in general, formed the foundation of Buonaparte's power, who, of all sovereigns that ever mounted to authority, might be said to reign by dint of victory and of his sword. But he surrounded himself by another species of partisans. The Legion of Honour was destined to form a distinct and particular class of privileged individuals, whom, by honours and bounties bestowed on them, he resolved to bind to his own interest.

This institution, which attained considerable political importance, originated in the custom which Napoleon had early introduced, of conferring on soldiers, of whatever rank, a sword, fusee, or other military weapon, in the name of the state, as acknowledging and commemorating some act of peculiar gallantry. The influence of such public rewards was of course very great. They encouraged those who had received them to make every effort to preserve the character which they had thus gained, while they awakened the emulation of hundreds and thousands who desired similar marks of distinction. Buonaparte now formed the project of embodying the persons who had merited such rewards into an association, similar in many respects to those orders, or brotherhoods of chivalry, with which, during the middle ages, the feudal sovereigns of Europe surrounded themselves, and which subsist to this day, though in a changed and modified form. These, however, have been uniformly created on the feudal principles, and the honour they

confer limited, or supposed to be limited, to persons of some rank and condition: but the scheme of Buonaparte was to extend this species of honourable distinction through all ranks, in the quality proper to each, as medals to be distributed among various classes of the community are struck upon metals of different value, but are all stamped with the same dye.[1] The outlines of the institution were these:—

The Legion of Honour was to consist of a great council of administration and fifteen cohorts, each of which was to have its own separate headquarters, in some distinguished town of the Republic. The council of administration was to consist of the three consuls, and four other members; a senator, namely, a member of the Legislative Body, a member of the Tribunate, and one of the Council of State, each to be chosen by the body to which he belonged. The order might be acquired by distinguished merit, either of a civil or a military nature; and various rules were laid down for the mode of selecting the members. The First Consul was, in right of his office, captain-general of

[1] ["If the Legion of Honour were not the recompense of *civil* as well as *military* services, it would cease to be the *Legion of Honour*. It would be a strange piece of presumption, indeed, in the military to pretend that honours should be paid to them only. Soldiers who knew not how to read or write, were proud of bearing, in recompense for the blood they had shed, the same decoration as was given to distinguished talents in civil life; and, on the other hand, the latter attached a greater value to this reward of their labours, because it was the decoration of the brave. The Legion of Honour was the property of every one who was an honour to his country, stood at the head of his profession, and contributed to the national prosperity and glory."—NAPOLEON, *Montholon*, t. ii. p. 145.]

the legion, and president of the council of administration. Every cohort was to consist of seven grand officers, twenty commanders, thirty subaltern officers, and three hundred and fifty legionaries. Their nomination was for life, and their appointments considerable. The grand officers enjoyed a yearly pension of 5000 francs; the commanders, 2500; the officers, 1000 francs; the privates, or legionaries, 250. They were to swear upon their honour to defend the government of France, and maintain the inviolability of her empire; to combat, by every lawful means, against the re-establishment of the feudal institutions; and to concur in maintaining the principles of liberty and equality.

Notwithstanding these last words, containing, when properly understood, the highest political and moral truth, but employed in France originally to cover the most abominable cruelties, and used more lately as mere words of course, the friends of liberty were not to be blinded, regarding the purpose of this new institution. Their number was now much limited; but amidst their weakness they had listened to the lessons of prudence and experience, and abandoning these high-swoln, illusory, and absurd pretensions, which had created such general disturbance, seem to have set themselves seriously, and at the same time moderately to work, to protect the cause of practical and useful freedom, by such resistance as the constitution still permitted them to offer, by means of the Tribunate and the Legislative Body.

Among the statesmen who associated to form an Opposition, which, on the principle of the con-

stitutional Opposition of England, were to act towards the executive government rather as to an erring friend, whom they desired to put right, than as an enemy, whom they meant to destroy, were Benjamin Constant, early distinguished by talent and eloquence, Chenier, author of the hymn of the Marseilloise, Savoye-Rollin, Chauvelin, and others, among whose names that of Carnot was most distinguished. These statesmen had learned apparently, that it is better in human affairs to aim at that minor degree of good which is practicable, than to aspire to a perfection which is unattainable. In the opinion of most of them, the government of Buonaparte was a necessary evil, without which, or something of the same strength, to control the factions by which she was torn to pieces, France must have continued to be a prey to a succession of such anarchical governments as had already almost ruined her. They, therefore, entertained none of the usual views of conspirators. They considered the country as in the condition of a wounded warrior, compelled for a short time to lay aside her privileges, as he his armour; but they hoped, when France had renewed her strength and spirit by an interval of repose, they might see her, under better auspices than before, renew and assert her claims to be free from military law. Mean time they held it their duty, professing, at the same time, the highest respect to the government and its head, the First Consul, to keep alive as far as was permitted the spirit of the country, and oppose the encroachments of its ruler. They were not long allowed to follow the practical and useful path

which they had sketched out; but the French debates were never so decently or respectably conducted as during this period.

The opposition, as they may be called, had not objected to the reappointment of Buonaparte to the Consulate for life. Probably they were reluctant to have the appearance of giving him personal offence, were aware they would be too feebly supported, and were sensible, that struggling for a point which could not be attained, was unlikely to lead to any good practical results. The institution of the Legion of Honour offered a better chance to try their new opposition tactics.

Rœderer, the orator, by whom the measure was proposed to the Tribunate, endeavoured to place it in the most favourable light. It was founded, he said, upon the eighty-seventh article of the Constitutional Declaration, which provided that national recompenses should be conferred on those soldiers who had distinguished themselves in their country's service. He represented the proposed order as a moral institution, calculated to raise to the highest the patriotism and gallantry of the French people. It was a coin, he said, of a value different from, and far more precious than that which was issued from the treasury—a treasure of a quality which could not be debased, and of a quantity which was inexhaustible, since the mine consisted in the national sense of honour.

To this specious argument, it was replied by Rollin and others, that the law was of a nature dangerous to public liberty. It was an abuse, they said, of the constitutional article, on which it was

alleged to be founded, since it exhausted at once, by the creation of a numerous corps, the stock of rewards which the article referred to held in frugal reserve, to recompense great actions as they should occur. If every thing was given to remunerate merits which had been already ascertained, what stock, it was asked, remained for compensating future actions of gallantry, excepting the chance of a tardy admission into the corps as vacancies should occur? But especially it was pleaded, that the establishment of a military body, distinguished by high privileges and considerable pay, yet distinct and differing from all the other national forces, was a direct violation of the sacred principles of equality. Some reprobated the intermixture of the civil officers of the state in a military institution. Others were of opinion that the oath proposed to be taken was superfluous, if not ridiculous; since, how could the members of the Legion of Honour be more bound to serve the state, or watch over the constitution, than any other citizens; or, in what manner was it proposed they should exert themselves for that purpose? Other arguments were urged; but that which all felt to be the most cogent, was rather understood than even hinted at. This was the immense additional strength which the First Consul must attain, by having at his command the distribution of the new honours, and being thus enabled to form a body of satellites entirely dependent upon himself, and carefully selected from the bravest and ablest within the realm.

The institution of the Legion of Honour was at

length carried in the Tribunate, by a majority of fifty-six voices over thirty-eight, and sanctioned in the Legislative Body by one hundred and sixty-six over an hundred and ten. The strong divisions of the opposition on this trying question, showed high spirit in those who composed that party; but they were placed in a situation so insulated and separated from the public, so utterly deprived of all constitutional guarantees for the protection of freedom, that their resistance, however honourable to themselves, was totally ineffectual, and without advantage to the nation.[1]

Mean while Buonaparte was deeply engaged in intrigues of a different character, by means of which he hoped to place the sovereign authority which he had acquired, on a footing less anomalous, and more corresponding with that of the other monarchs in Europe, than it was at present. For this purpose an overture was made by the Prussian minister Haugwitz, through the medium of M. de Meyer, President of the Regency of Warsaw, proposing to the Comte de Provence (since Louis XVIII.), that he should resign his rights to the crown of France to the successful general who occupied the throne, in which case the exiled princes were to be invested with dominions in Italy, and restored to a brilliant existence. The answer of Louis was marked at once by moderation, sense, and that firmness of character which corresponded with his illustrious birth and high pretensions. "I

[1] [Montgaillard, t. v. p. 573.]

do not confound Monsieur Buonaparte," said the exiled monarch, "with those who have preceded him; I esteem his bravery and military talents; I owe him good-will for many acts of his government, for the good which is done to my people I will always esteem done to me. But he is mistaken if he thinks that my rights can be made the subjects of bargain and composition. The very step he is now adopting would go to establish them, could they be otherwise called in question. I know not what may be the designs of God for myself and my family, but I am not ignorant of the duties imposed on me by the rank in which it was his pleasure I should be born. As a Christian, I will fulfil those duties to my last breath. As a descendant of Saint Louis, I will know by his example how to respect myself, even were I in fetters. As the successor of Francis the First, I will at least have it to say with him, 'We have lost all excepting our honour!'"

Such is the account which has been uniformly given by the Princes of the House of Bourbon, concerning this communication, which is said to have taken place on the 26th February, 1803.[1] Buonaparte has, indeed, denied that he was accessory to any such transaction, and has said truly enough, that an endeavour to acquire an interest in the Bourbons' title by compromise, would have been an admission on his part that his own, flowing, as he alleged, from the people, was imperfect,

[1] [Montgaillard, t. v. p. 5.]

and needed repairs. Therefore, he denied having taken any step which could, in its consequences, have inferred such an admission.

But, in the first place, it is not to be supposed that such a treaty would have been published by the Bourbon family, unless it had been proposed by Meyer; and it is equally unlikely that either Haugwitz or Meyer would have ventured on such a negotiation, excepting at the instigation of Buonaparte, who alone could make good the terms proposed on the one side, or derive advantage from the concessions stipulated on the other. Secondly, without stopping to enquire how far the title which Buonaparte pretended to the supreme authority, was of a character incapable of being improved by a cession of the Comte de Provence's rights in his favour, it would still have continued an object of great political consequence to have obtained a surrender of the claims of the House of Bourbon, which were even yet acknowledged by a very considerable party within the kingdom. It was, therefore, worth while to venture upon a negotiation which might have had the most important results, although, when it proved fruitless, we can see strong reasons for Napoleon concealing and disowning his accession to a step, which might be construed as implying some sense of deficiency of his own title, and some degree of recognition of that of the exiled prince.

It may be remarked, that, up to this period, Napoleon had manifested no particular spleen towards the family of Bourbon. On the contrary, he had treated their followers with lenity, and

spoken with decency of their own claims. But the rejection of the treaty with *Monsieur* Buonaparte, however moderately worded, has been reasonably supposed to have had a deep effect on his mind, and may have been one remote cause of a tragedy, for which it is impossible to find an adequate one—the murder, namely, of the Duke d'Enghien. But, before we approach this melancholy part of Napoleon's history, it is proper to trace the events which succeeded the renewal of the war.

CHAPTER XXVII

Renewal of the War.—England lays an Embargo on French Vessels—Napoleon retaliates by detaining British Subjects.—Effects of this unprecedented Measure.—Hanover and other places occupied by the French.—Scheme of Invasion renewed.—Napoleon's Preparations.—Defensive Measures of England.

THE bloody war which succeeded the short peace of Amiens, originated, to use the words of the satirist, in high words, jealousies, and fears. There was no special or determinate cause of quarrel, which could be removed by explanation, apology, or concession.

The English nation were jealous, and from the strides which Buonaparte had made towards universal power, not jealous without reason, of the farther purposes of the French ruler, and demanded guarantees against the encroachments which they apprehended; and such guarantees he deemed it beneath his dignity to grant. The discussion of these adverse claims had been unusually violent and intemperate; and as Buonaparte conceived the English nation to be his personal enemies, so they, on the other hand, began to regard his power as totally incompatible with the peace of Europe, and independence of Britain. To Napoleon, the Eng-

lish people, tradesmen and shopkeepers as he chose to qualify them, seemed assuming a consequence in Europe, which was, he conceived, far beyond their due. He was affected by feelings similar to those with which Haman beheld Mordecai sitting at the King's gate ;—all things availing him nothing, while Britain held such a high rank among the nations, without deigning to do him reverence or worship. The English people, on the other hand, regarded him as the haughty and proud oppressor who had the will at least, if not the power, to root Britain out from among the nations, and reduce them to a state of ignominy and bondage.

When, therefore, the two nations again arose to the contest, it was like combatants whose anger against each other has been previously raised to the highest pitch by mutual invective. Each had recourse to the measures by which their enemy could be most prejudiced.

England had at her command the large means of annoyance arising out of her immense naval superiority, and took her measures with the decision which the emergency required. Instant orders were despatched to prevent the cession of such colonies as yet remained to be given up, according to the treaty of Amiens, and to seize by a *coup-de-main* such of the French settlements as had been ceded, or were yet occupied by her. France, on the other hand, in consequence of her equally great superiority by land, assembled upon her extensive line of sea-coast a very numerous army, with which she appeared disposed to make good her ruler's threats of invasion. At the same time, Buonaparte

occupied without ceremony the territory of Naples, Holland, and such other states as Britain must have seen in his hands with feelings of keen apprehension, and thus made good the previous menaces of Talleyrand in his celebrated Note.[1]

But besides carrying to the utmost extent all the means of annoyance which the ordinary rules of hostility afford, Napoleon, going beyond these, had recourse to strange and unaccustomed reprisals, unknown as yet to the code of civilized nature, and tending only to gratify his own resentment, and extend the evils of war, already sufficiently numerous.

The English had, as is the universal custom, laid an embargo on all French vessels in their ports, at the instant the war was proclaimed, and the loss to France was of course considerable. Buonaparte took a singular mode of retaliating, by seizing on the persons of the English of every description, who chanced to be at Paris, or travelling in the dominions of France, who, trusting to the laws of good faith hitherto observed by all civilized nations, expected nothing less than an attack upon their personal freedom. The absurd excuse at first set up for this extraordinary violation of humanity, at once, and of justice, was, that some of these individuals might be liable to serve in the English militia, and were therefore to be considered as prisoners of war. But this flimsy pretext could not have excused the seizing on the English of all ranks, conditions, and ages. The measure was

[1] [See *ante*, p. 256.]

adopted without the participation of the First Consul's ministers; at least we must presume so, since Talleyrand himself encouraged some individuals to remain after the British ambassador had left Paris, with an assurance of safety which he had it not in his power to make good. It was the vengeful start of a haughty temper, rendered irritable, as we have often stated, by uninterrupted prosperity, and of consequence, opposing itself to all resistance and contradiction, with an acuteness of feeling approaching to frenzy.

The individuals who suffered under this capricious and tyrannical act of arbitrary power, were treated in all respects like prisoners of war, and confined to prison as such, unless they gave their parole to abide in certain towns assigned them, and keep within particular limits.

The mass of individual evil occasioned by this cruel measure was incalculably great. Twelve years, a large proportion of human life, were cut from that of each of these *Detenus*, as they were called, so far as regarded settled plan, or active exertion. Upon many, the interruption fell with fatal influence, blighting all their hopes and prospects; others learned to live only for the passing day, and were thus deterred from habitual study or useful industry. The most tender bonds of affection were broken asunder by this despotic sentence of imprisonment; the most fatal inroads were made on family feelings and affections by this long separation between children, and husbands, and wives —all the nearest and dearest domestic relations. In short, if it was Buonaparte's desire to inflict the

highest degree of pain on a certain number of persons, only because they were born in Britain, he certainly attained his end. If he hoped to gain any thing farther, he was completely baffled; and when he hypocritically imputes the sufferings of the *détenus* to the obstinacy of the English Ministry,[1] his reasoning is the same with that of a captain of Italian banditti, who murders his prisoner, and throws the blame of the crime on the friends of the deceased, who failed to send the ransom at which he had rated his life. Neither is his vindication more reasonable, when he pretends to say that the measure was taken in order to prevent England, on future occasions, from seizing, according to ancient usage, on the shipping in her ports. This outrage must therefore be recorded as one of those acts of wanton wilfulness in which Buonaparte indulged his passion, at the expense of his honour, and, if rightly understood, of his real interest.

The detention of civilians, unoffending and defenceless, was a breach of those courtesies which ought to be sacred, as mitigating the horrors of war. The occupation of Hanover was made in

[1] ["Your Ministers made a great outcry about the English travellers that I detained in France; although they themselves had set the example, by seizing upon all the French vessels and persons on board of them, upon whom they could lay their hands, before the declaration of war, and before I had detained the English in France. I said then, if you detain my travellers at sea, where you can do what you like, I will detain yours at land, where I am equally powerful. But after this I offered to release all the English I had seized in France before the declaration of war, provided you would in like manner release the French and their property which you had seized on board of the ships. Your Ministers would not."—NAPOLEON, *Voice, &c.* v. i. p. 326.]

violation of the Germanic Constitution. This patrimony of our kings had in former wars been admitted to the benefit of neutrality; a reasonable distinction being taken betwixt the Elector of Hanover, as one of the grand feudatories of the empire, and the same person in his character of King of Great Britain; in which latter capacity only he was at war with France. But Buonaparte was not disposed to recognise these metaphysical distinctions; nor were any of the powers of Germany in a condition to incur his displeasure, by asserting the constitution and immunities of the empire. Austria had paid too deep a price for her former attempts to withstand the power of France, to permit her to extend her opposition beyond a feeble remonstrance; and Prussia had too long pursued a temporizing and truckling line of politics, to allow her to break short with Napoleon by endeavouring to merit the title her monarch once claimed,—of Protector of the North of Germany.

Every thing in Germany being thus favourable to the views of France, Mortier, who had already assembled an army in Holland, and on the frontiers of Germany, moved forward on Hanover. A considerable force was collected for resistance under his Royal Highness the Duke of Cambridge, and General Walmoden. It soon appeared, however, that, left to their own resources, and absolutely unsupported either by England or the forces of the empire, the electorate was incapable of resistance; and that any attempt at an ineffectual defence would only serve to aggravate the dis-

tresses of the country, by subjecting the inhabitants to the extremities of war. In compassion, therefore, to the Hanoverians, the Duke of Cambridge was induced to leave the hereditary dominions of his father's house; and General Walmoden had the mortification to find himself obliged to enter into a convention, by which the capital of the electorate, and all its strongholds, were to be delivered up to the French, and the Hanoverian army were to retire behind the Elbe, on condition not to serve against France and her allies till previously exchanged.[1]

The British government having refused to ratify this convention of Suhlingen, as it was termed, the Hanoverian army were summoned to surrender as prisoners of war;—hard terms, which, upon the determined resistance of Walmoden, were only thus far softened, that these tried and faithful troops were to be disbanded, and deliver up their arms, artillery, horses, and military stores. In a letter to the First Consul, Mortier declares that he granted these mitigated terms from respect to the misfortunes of a brave enemy; and mentions, in a tone of creditable feeling, the distress of General Walmoden, and the despair of the fine regiment of Hanoverian guards, when dismounting from their horses to surrender them up to the French.

At the same time that they occupied Hanover, the French failed not to make a further use of their invasion of Germany, by laying forced loans on the Hanseatic towns, and by other encroachments.

[1] [Annual Register, vol. xlv. p. 283.]

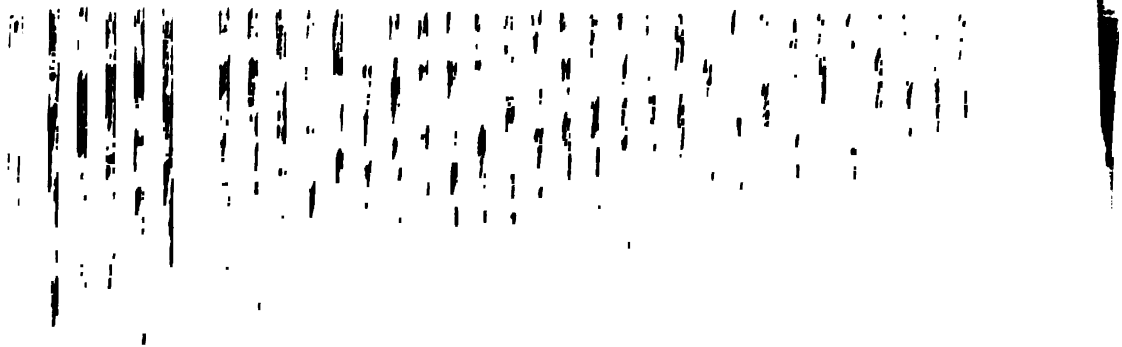
The Prince Royal of Denmark was the only sovereign who showed an honourable sense of these outrages, by assembling in Holstein an army of thirty thousand men; but being unsupported by any other power, he was soon glad to lay aside the attitude which he had assumed. Austria accepted, as current payment, the declaration of France, that by her occupation of Hanover she did not intend any act of conquest, or annexation of territory, but merely proposed to retain the electorate as a pledge for the isle of Malta, which the English, contrary, as was alleged, to the faith of treaties, refused to surrender. Prussia, naturally dissatisfied at seeing the aggressions of France extend to the neighbourhood of her own territories, was nevertheless obliged to rest contented with the same excuse.

The French ruler did not confine himself to the occupation of Hanover. Tarentum, and other seaports of the King of Naples's dominions, were seized upon, under the same pretext of their being a pledge for the restoration of Malta. In fact, by thus quartering his troops upon neutral territories, by whom he took care that they should be paid and clothed, Napoleon made the war support itself, and spared France the burden of maintaining a great proportion of his immense army; while large exactions, not only on the commercial towns, but on Spain, Portugal, and Naples, and other neutral countries, in the name of loans, filled his treasury, and enabled him to carry on the expensive plans which he meditated.

Any one of the separate manœuvres which we have mentioned, would, before this eventful war,

have been considered as a sufficient object for a long campaign. But the whole united was regarded by Buonaparte only as side-blows, affecting Britain indirectly through the occupation of her monarch's family dominions, the embarrassment offered to her commerce, and the destruction of such independence as had been left to the continental powers. His great and decisive game remained to be played—that scheme of invasion to which he had so strongly pledged himself in his angry dialogue with Lord Whitworth. Here, perhaps, if ever in his life, Buonaparte, from considerations of prudence, suffered the period to elapse which would have afforded the best chance for execution of his venturous project.

It must be in the memory of most who recollect the period, that the kingdom of Great Britain was seldom less provided against invasion than at the commencement of this second war; and that an embarkation from the ports of Holland, if undertaken instantly after the war had broken out, might have escaped our blockading squadrons, and have at least shown what a French army could have done on British ground, at a moment when the alarm was general, and the country in an unprepared state. But it is probable that Buonaparte himself was as much unprovided as England for the sudden breach of the treaty of Amiens—an event brought about more by the influence of passion than of policy; so that its consequences were as unexpected in his calculations as in those of Great Britain. Besides, he had not diminished to himself the dangers of the undertaking, by which



tion of as strong a naval squadron as France had still the means to send to sea.

A land army was assembled of the most formidable description, whether we regard the high military character of the troops, the extent and perfection of their appointments, or their numerical strength. The coast, from the mouth of the Seine to the Texel, was covered with forces; and Soult, Ney, Davoust, and Victor, names that were then the pride and the dread of war, were appointed to command the Army of England, (for that menacing title was once more assumed,) and execute those manœuvres, planned and superintended by Buonaparte, the issue of which was to be the blotting out of Britain from the rank of independent nations.

Far from being alarmed at this formidable demonstration of force, England prepared for her resistance with an energy becoming her ancient rank in Europe, and far surpassing in its efforts any extent of military preparation before heard of in her history. To nearly one hundred thousand troops of the line, were added eighty thousand and upwards of militia, which scarce yielded to the regulars in point of discipline. The volunteer force, by which every citizen was permitted and invited to add his efforts to the defence of the country, was far more numerous than during the last war, was bettered officered also, and rendered every way more effective. It was computed to amount to three hundred and fifty thousand men, who, if we regard the shortness of the time and the nature of the service, had attained considerable

practice in the use and management of their arms. Other classes of men were embodied, and destined to act as pioneers, drivers of waggons, and in the like services. On a sudden, the land seemed converted to an immense camp, the whole nation into soldiers, and the good old King himself into a general-in-chief. All peaceful considerations appeared for a time to be thrown aside; and the voice, calling the nation to defend their dearest rights, sounded not only in Parliament, and in meetings convoked to second the measures of defence, but was heard in the places of public amusement, and mingled even with the voice of devotion—not unbecomingly surely, since to defend our country is to defend our religion.

Beacons were erected in conspicuous points, corresponding with each other, all around and all through the island; and morning and evening, one might have said, every eye was turned towards them to watch for the fatal and momentous signal. Partial alarms were given in different places from the mistakes to which such arrangements must necessarily be liable; and the ready spirit which animated every species of troops where such signals called to arms, was of the most satisfactory description, and afforded the most perfect assurance, that the heart of every man was in the cause of his country.

Amidst her preparations by land, England did not neglect or relax her precautions on the element she calls her own. She covered the ocean with five hundred and seventy ships of war of various descriptions. Divisions of her fleet blocked

up every French port in the Channel; and the army destined to invade our shores, might see the British flag flying in every direction on the horizon, waiting for their issuing from the harbour, as birds of prey may be seen floating in the air above the animal which they design to pounce upon. Sometimes the British frigates and sloops of war stood in, and cannonaded or threw shells into Havre, Dieppe, Granville, and Boulogne itself. Sometimes the seamen and marines landed, cut out vessels, destroyed signal-posts, and dismantled batteries. Such events were trifling, and it was to be regretted that they cost the lives of gallant men; but although they produced no direct results of consequence, yet they had their use in encouraging the spirits of our sailors, and damping the confidence of the enemy, who must at length have looked forward with more doubt than hope to the invasion of the English coast, when the utmost vigilance could not prevent their experiencing insults upon their own.

During this period of menaced attack and arranged defence, Buonaparte visited Boulogne, and seemed active in preparing his soldiers for the grand effort. He reviewed them in an unusual manner, teaching them to execute several manœuvres by night; and experiments were also made upon the best mode of arranging the soldiers in the flat-bottomed boats, and of embarking and disembarking them with celerity. Omens were resorted to for keeping up the enthusiasm which the presence of the First Consul naturally inspired. A Roman battle-axe was said to be found when

they removed the earth to pitch Buonaparte's tent or barrack; and medals of William the Conqueror were produced, as having been dug up upon the same honoured spot. These were pleasant bodings, yet perhaps did not altogether, in the minds of the soldiers, counterbalance the sense of insecurity impressed on them by the prospect of being packed together in these miserable chaloupes, and exposed to the fire of an enemy so superior at sea, that during the Chief Consul's review of the fortifications, their frigates stood in shore with composure, and fired at him and his suite as at a mark. The men who had braved the perils of the Alps and of the Egyptian deserts, might yet be allowed to feel alarm at a species of danger which seemed so inevitable, and which they had no adequate means of repelling by force of arms.

A circumstance which seemed to render the expedition in a great measure hopeless, was the ease with which the English could maintain a constant watch upon their operations within the port of Boulogne. The least appearance of stir or preparation, to embark troops, or get ready for sea, was promptly sent by signal to the English coast, and the numerous British cruizers were instantly on the alert to attend their motions. Nelson had, in fact, during the last war, declared the sailing of a hostile armament from Boulogne to be a most forlorn undertaking, on account of cross tides and other disadvantages, together with the certainty of the flotilla being lost if there were the least wind west-north-west. "As for rowing," he adds, "that is impossible.—It is perfectly right to be prepared

for a mad government," continued this most incontestible judge of maritime possibilities; "but with the active force which has been given me, I may pronounce it almost impracticable."

Buonaparte himself continued to the last to affirm that he was serious in his attempts to invade Great Britain, and that the scheme was very practicable. He did not, however, latterly, talk of forcing his way by means of armed small craft and gun-boats, while the naval forces on each side were in their present degree of comparative strength, the allowed risk of miscarriage being as ten to one to that of success;—this bravade, which he had uttered to Lord Whitworth, involved too much uncertainty to be really acted upon. At times, long after, he talked slightingly to his attendants of the causes which prevented his accomplishing his project of invasion;[1] but when speaking seriously and in detail, he shows plainly that his sole hope of effecting the invasion was, by assembling such a fleet as should give him the temporary command of the Channel. This fleet was to consist of fifty vessels, which, despatched from the various ports of France and Spain, were to rendezvous at Martinico, and, returning from thence to the British Channel, protect the flotilla, upon which were

[1] ["On what trifles does the fate of empires depend! How petty and insignificant are our revolutions in the grand organization of the earth! If instead of entering upon the Egyptian expedition, I had invaded Ireland; if some slight derangement of my plans had not thrown obstacles in the way of my Boulogne enterprise, what would England have been to-day? What would have been the situation of the Continent, and the whole political world?"—NAPOLEON, *Las Cases*, t. iii. p. 330.]

to embark one hundred and fifty thousand men.[1] Napoleon was disappointed in his combinations respecting the shipping; for as it happened, Admiral Cornwallis lay before Brest; Pellew observed the harbours of Spain; Nelson watched Toulon and Genoa; and it would have been necessary for the French and Spanish navy to fight their way through these impediments, in order to form a union at Martinico.

It is wonderful to observe how incapable the best understandings become of forming a rational judgment, where their vanity and self-interest are concerned, in slurring over the total failure of a favourite scheme. While talking of the miscarriage of this plan of invasion, Napoleon gravely exclaimed to Las Cases, "And yet the obstacles which made me fail were not of human origin—they were the work of the elements. In the south, the sea undid my plans; in the north, it was the conflagration of Moscow, the snows and ice that destroyed me. Thus, water, air, fire, all nature, in short, have been the enemies of a universal regeneration, commanded by Nature herself. The problems of Providence are inscrutable."[2]

[1] [See Montholon, t. ii. p. 224. "The invasion of England," adds Napoleon, "was always regarded as practicable; and, if once the descent had been effected, London must infallibly have been taken. The French being in possession of that Capital, a very powerful party would have arisen against the oligarchy. Did Hannibal look behind him when he passed the Alps? or Cæsar when he landed in Epirus, or Africa? London is situated only a few marches from Calais; and the English army, scattered for the purpose of defending the coasts, could not have joined in time to have covered that capital after once the descent had been actually made."]

[2] [Las Cases, t. ii. p. 263.]

Independent of the presumptuousness of expressions, by which an individual being, of the first-rate talents doubtless, but yet born of a woman, seems to raise himself above the rest of his species, and deem himself unconquerable save by elementary resistance, the inaccuracy of the reasoning is worth remarking. Was it the sea which prevented his crossing to England, or was it the English ships and sailors? He might as well have affirmed that the hill of Mount St John, and the wood of Soignies, and not the army of Wellington, were the obstacles which prevented him from marching to Brussels.

Before quitting the subject, we may notice, that Buonaparte seems not to have entertained the least doubts of success, could he have succeeded in disembarking his army. A single general action was to decide the fate of England. Five days were to bring Napoleon to London, where he was to perform the part of William the Third; but with more generosity and disinterestedness. He was to call a meeting of the inhabitants, restore them what he calls their rights, and destroy the oligarchical faction. A few months would not, according to his account, have elapsed, ere the two nations, late such determined enemies, would have been identified by their principles, their maxims, their interests. The full explanation of this gibberish, (for it can be termed no better, even proceeding from the lips of Napoleon,) is to be found elsewhere, when he spoke a language more genuine than that of the *Moniteur* and the bulletins. "England," he said, "must have ended, by be-

coming an appendage to the France of *my* system. Nature has made it one of our islands, as well as Oleron and Corsica."[1]

It is impossible not to pursue the train of reflections which Buonaparte continued to pour forth to the companion of his exile, on the rock of Saint Helena. When England was conquered, and identified with France in maxims and principles, according to one form of expression, or rendered an appendage and dependency, according to another phrase, the reader may suppose that Buonaparte would have considered his mission as accomplished. Alas! it was not much more than commenced. "I would have departed from thence [from subjugated Britain] to carry the work of European regeneration [that is, the extension of his own arbitrary authority] from south to north, under the Republican colours, for I was then Chief Consul, in the same manner which I was more lately on the point of achieving it under the monarchical forms."[2] When we find such ideas retaining hold of Napoleon's imagination, and arising to his tongue after his irretrievable fall, it is impossible to avoid exclaiming, Did ambition ever conceive so wild a dream, and had so wild a vision ever a termination so disastrous and humiliating!

It may be expected that something should be here said, upon the chances which Britain would have had of defending herself successfully against the army of invaders. We are willing to acknowledge that the risk must have been dreadful; and

[1] [Las Cases, t. iii. p. 330.] [2] [*Ibid*, t. ii. p. 263.]

that Buonaparte, with his genius and his army, must have inflicted severe calamities upon a country which had so long enjoyed the blessings of peace. But the people were unanimous in their purpose of defence, and their forces composed of materials to which Buonaparte did more justice when he came to be better acquainted with them. Of the three British nations, the English have since shown themselves possessed of the same steady valour which won the fields of Cressy and Agincourt, Blenheim and Minden—the Irish have not lost the fiery enthusiasm which has distinguished them in all the countries of Europe—nor have the Scots degenerated from the stubborn courage with which their ancestors for two thousand years maintained their independence against a superior enemy. Even if London had been lost, we would not, under so great a calamity, have despaired of the freedom of the country; for the war would in all probability have assumed that popular and national character which sooner or later wears out an invading army. Neither does the confidence with which Buonaparte affirms the conviction of his winning the first battle, appear so certainly well founded. This, at least, we know, that the resolution of the country was fully bent up to the hazard; and those who remember the period will bear us witness, that the desire that the French would make the attempt, was a general feeling through all classes, because they had every reason to hope that the issue might be such as for ever to silence the threat of invasion.[1]

[1] ["I commanded a brigade of the army of the coasts united

at this period against England, and I remember that, when called upon to give my opinion upon this expedition, I replied, that 'a maritime expedition, unless it had the superiority at sea, appeared to me to be a contradiction.' Nevertheless, let any one imagine a French army of 200,000 men, landing upon the English territory, and seizing upon the immense city of London —would he deny that, even if the liberty of the country had not been lost, England would have suffered an immense and perhaps irreparable injury? It cannot be denied that the plan was well conceived; that the combined fleets of France and Spain were sufficient to sweep the Channel, and to command there during the time necessary to seize upon London, and even to have conveyed the whole army back to France."—LOUIS BUONAPARTE, p. 40.]

CHAPTER XXVIII.

Disaffection begins to arise against Napoleon among the Soldiery.—Purpose of setting up Moreau against him.—Character of Moreau.—Causes of his Estrangement from Buonaparte.—Pichegru.—The Duke d'Enghien.—Georges Cadoudal, Pichegru, and other Royalists, landed in France.—Desperate Enterprise of Georges—Defeated.—Arrest of Moreau—of Pichegru—and Georges.—Captain Wright.—Duke d'Enghien seized at Strasburg—hurried to Paris—transferred to Vincennes—Tried by a Military Commission—Condemned—and Executed.—Universal Horror of France and Europe.—Buonaparte's Vindication of his Conduct—His Defence considered.—Pichegru found dead in his Prison—Attempt to explain his Death by charging him with Suicide.—Captain Wright found with his Throat cut.—A similar attempt made.—Georges and other Conspirators Tried—Condemned—and Executed.—Royalists silenced.—Moreau sent into Exile.

WHILE Buonaparte was meditating the regeneration of Europe, by means of conquering first Britain, and then the northern powers, a course of opposition to his government, and disaffection to his person, was beginning to arise even among the soldiers themselves. The acquisition of the Consulate for life, was naturally considered as a death-blow to the Republic; and to that name many of the principal officers of the army, who had advan-

ced themselves to promotion by means of the Revolution, still held a grateful attachment. The dissatisfaction of these military men was the more natural, as some of them might see in Buonaparte nothing more than a successful adventurer, who had raised himself high above the heads of his comrades, and now exacted their homage. As soldiers, they quickly passed from murmurs to threats; and at a festive meeting, which was prolonged beyond the limits of sobriety, a colonel of hussars proposed himself as the Brutus to remove this new Cæsar. Being expert at the use of the pistol, he undertook to hit his mark at fifty yards distance, during one of those reviews which were perpetually taking place in presence of the First Consul. The affair became known to the police, but was hushed up as much as possible by the address of Fouché, who saw that Buonaparte might be prejudiced by the bare act of making public that such a thing had been agitated, however unthinkingly.[1]

The discontent spread wide, and was secretly augmented by the agents of the house of Bourbon; and, besides the constitutional Opposition, whose voice was at times heard in the Legislative Body and the Tribunate, there existed malecontents without doors, composed of two parties, one of whom considered Buonaparte as the enemy of public liberty, whilst the other regarded him as the sole obstacle to the restoration of the Bourbons; and the most eager partisans of both began to meditate on the practicability of removing him by any means,

[1] [Fouché, t. i. p. 231.]

the most violent and the most secret not excepted. Those among the furious Republicans, or enthusiastic Royalists, who entertained such sentiments, excused them doubtless to their conscience, by Napoleon's having destroyed the liberties, and usurped the supreme authority, of the country; thus palliating the complexion of a crime which can never be vindicated.

These zealots, however, bore no proportion to the great body of Frenchmen, who, displeased with the usurpation of Buonaparte, and disposed to overthrow it, if possible, held themselves yet obliged to refrain from all crooked and indirect practices against his life. Proposing to destroy his power in the same way in which it had been built, the first and most necessary task of the discontented party was to find some military chief, whose reputation might bear to be balanced against that of Napoleon; and no one could claim such distinction excepting Moreau. If his campaigns were inferior to those of his great rival in the lightning-like brilliancy and celerity of their operations, and in the boldness of combination on which they were founded, they were executed at smaller loss to his troops, and were less calculated to expose him to disastrous consequences if they chanced to miscarry. Moreau was no less celebrated for his retreat through the defiles of the Black Forest, in 1796, than for the splendid and decisive victory of Hohenlinden.

Moreau's natural temper was mild, gentle, and accessible to persuasion—a man of great abilities certainly, but scarcely displaying the bold and de-

cisive character which he ought to possess, who, in such times as we write of, aspires to place himself at the head of a faction in the state. Indeed, it rather would seem that he was forced into that situation of eminence by the influence of general opinion, joined to concurring circumstances, than that he deliberately aspired to place himself there. He was the son of a lawyer of Bretagne,[1] and in every respect a man who had risen by the Revolution. He was not, therefore, naturally inclined towards the Bourbons; yet when Pichegru's communications with the exiled family in 1795 became known to him by the correspondence which he intercepted, Moreau kept the secret until some months after,[2] when Pichegru had, with the rest of his party, fallen under the Revolution of 18th Fructidor, which installed the Directory of Barras, Reubel, and La Raveillière. After this period, Moreau's marriage with a lady[3] who entertained

[1] [Moreau was born at Morlaix in 1763.]

[2] ["If Moreau's friendship for Pichegru led him into this culpable compromise, he ought not to have communicated these papers at a time when a knowledge of their contents could no longer be serviceable to the state; for, after the transactions of the 18th Fructidor, that party was defeated, and Pichegru was in chains."—NAPOLEON, *Montholon*, t. i. p. 43.]

[3] ["The Empress Josephine married Moreau to Mademoiselle Hulot, a creole of the Isle of France. This young lady had an ambitious mother, who governed her, and soon governed her husband also. She changed his character; he was no longer the same man; he began to intrigue; his house became the rendezvous of all the disaffected. For a long time the First Consul refused to notice this imprudent conduct; but at length he said, 'I wash my hands of him; let him run his head against the pillars of the Tuileries.'"—NAPOLEON, *Montholon*, t. i. p. 53.]

sentiments favourable to the Bourbons, seems to have gone some length in deciding his own political opinions.

Moreau had lent Buonaparte his sword and countenance on 18th Brumaire; but he was soon dissatisfied with the engrossing ambition of the new ruler of France, and they became gradually estranged from each other. This was not the fault of Buonaparte, who naturally desirous of attaching to himself so great a general, showed him considerable attention, and complained that it was received with coldness. On one occasion, a most splendid pair of pistols had been sent to the First Consul. "They arrive in a happy time," he said, and presented them to Moreau, who at that instant entered his presence chamber.[1] Moreau received the civility as one which he would willingly have dispensed with. He made no other acknowledgment than a cold bow, and instantly left the levee.

Upon the institution of the Legion of Honour, one of the grand crosses was offered to him. "The fool!" said Moreau, "does he not know that I have belonged to the ranks of honour for these twelve years?" Another pleasantry on this topic, upon which Buonaparte was very sensitive, was a company of officers, who dined together with

[1] ["Moreau went to Paris during the armistice of Pahrsdorff, and alighted unexpectedly at the Tuileries. Whilst he was engaged with the First Consul, the minister at war, Carnot, arrived from Versailles with a pair of pistols, enriched with diamonds, of very great value: they were intended for the First Consul, who, taking the pistols, presented them to Moreau, saying, 'They come very opportunely.' This was not a thing contrived for effect."—NAPOLEON, *Montholon*, t. i. p. 52.]

Moreau, voting a sauce-pan of honour to the general's cook, on account of his merits in dressing some particular dish. Thus, living estranged from Buonaparte, Moreau came to be gradually regarded as the head of the disaffected party in France; and the eyes of all those who disliked Napoleon or his government, were fixed upon him, as the only individual whose influence might be capable of balancing that of the Chief Consul.

Mean time the peace of Amiens being broken, the British Government, with natural policy, resolved once more to avail themselves of the state of public feeling in France, and engage the partisans of royalty in a fresh attack upon the Consular government. They were probably in some degree deceived concerning the strength of that party, which had been much reduced under Buonaparte's management, and had listened too implicitly to the promises and projects of agents, who, themselves sanguine beyond what was warranted, exaggerated even their own hopes in communicating them to the British ministers. It seems to have been acknowledged, that little success was to be hoped for, unless Moreau could be brought to join the conspiracy. This, however, was esteemed possible; and notwithstanding the disagreement, personal as well as political, which had subsisted betwixt him and Pichegru, the latter seems to have undertaken to become the medium of communication betwixt Moreau and the Royalists. Escaped from the deserts of Cayenne, to which he had been exiled, Pichegru had for some time found refuge and support in London, and there openly professed his

principles as a Royalist, upon which he had for a long time acted in secret.

A scheme was in agitation for raising the Royalists in the west, and the Duke de Berri was to make a descent on the coast of Picardy, to favour the insurrection. The Duke d'Enghien, grandson of the Prince of Condé, fixed his residence under the protection of the Margrave of Baden, at the chateau of Ettenheim, with the purpose, doubtless, of being ready to put himself at the head of the Royalists in the east of France, or, if occasion should offer, in Paris itself. This prince of the house of Bourbon, the destined inheritor of the name of the great Condé, was in the flower of youth, handsome, brave, and high-minded. He had been distinguished for his courage in the emigrant army, which his grandfather commanded. He gained by his valour the battle of Bortsheim; and when his army, to whom the French Republicans showed no quarter, desired to execute reprisals on their prisoners, he threw himself among them to prevent their violence. "These men," he said, "are Frenchmen—they are unfortunate —I place them under the guardianship of your honour and your humanity." Such was the princely youth, whose name must now be written in bloody characters in this part of Napoleon's history.

Whilst the French princes expected on the frontier the effect of commotions in the interior of France, Pichegru, Georges Cadoudal, and about thirty other Royalists of the most determined character, were secretly landed in France, made their

way to the metropolis, and contrived to find lurking places invisible to the all-seeing police. There can be no reason to doubt that a part of those agents, and Georges in particular, saw the greatest obstacle of their enterprise in the existence of Buonaparte, and were resolved to commence by his assassination. Pichegru, who was constantly in company with Georges, cannot well be supposed ignorant of this purpose, although better befitting the fierce chief of a band of Chouans than the conqueror of Holland.

In the mean time, Pichegru effected the desired communication with Moreau, then, as we have said, considered as the chief of the discontented military men, and the declared enemy of Buonaparte. They met at least twice; and it is certain that on one of these occasions Pichegru carried with him Georges Cadoudal, at whose person and plans Moreau expressed horror, and desired that Pichegru would not again bring that irrational savage into his company. The cause of his dislike we must naturally suppose to have been the nature of the measures Georges proposed, being the last to which a brave and loyal soldier like Moreau would willingly have resorted to; but Buonaparte, when pretending to give an exact account of what passed betwixt Moreau and Pichegru, represents the conduct of the former in a very different point of view. Moreau, according to this account, informed Pichegru, that while the First Consul lived, he had not the slightest interest in the army, and that not even his own aides-de-camp would follow him against Napoleon; but were Napoleon removed,

Moreau assured them all eyes would be fixed on himself alone—that he would then become First Consul—that Pichegru should be second; and was proceeding to make farther arrangements, when Georges broke in on their deliberations with fury, accused the generals of scheming their own grandeur, not the restoration of the king, and declared that to choose betwixt *blue* and *blue*, (a phrase by which the Vendéans distinguished the Republicans,)[1] he would as soon have Buonaparte as Moreau at the head of affairs, and concluded by stating his own pretensions to be third consul at least. According to this account, therefore, Moreau was not shocked at the atrocity of Georges' enterprise, of which he himself had been the first to admit the necessity, but only disgusted at the share which the Chouan chief assorted to himself in the partition of the spoil. But we give no credit whatever to this story. Though nothing could have been so important to the First Consul at the time as to produce proof of Moreau's direct accession to the plot on his life, no such proof was ever brought forward; and therefore the statement, we have little doubt, was made up afterwards, and contains what Buonaparte might think probable, and desire that others should believe, not what he knew from certain information, or was able to prove by credible testimony.

The police was speedily alarmed, and in action. Notice had been received that a band of Royalists had introduced themselves into the capital, though it was for some time very difficult to apprehend

[1] [See Mémoires de Savary, t. ii. p. 52.]

them. Georges, mean while, prosecuted his attempt against the Chief Consul, and is believed at one time to have insinuated himself in the disguise of a menial into the Tuileries, and even into Buonaparte's apartment; but without finding any opportunity to strike the blow, which his uncommon strength and desperate resolution might otherwise have rendered decisive. All the barriers were closed, and a division of Buonaparte's guards maintained the closest watch, to prevent any one escaping from the city. By degrees sufficient light was obtained to enable the government to make a communication to the public upon the existence and tendency of the conspiracy, which became more especially necessary, when it was resolved to arrest Moreau himself. This took place on the 15th February, 1804. He was seized without difficulty or resistance, while residing quietly at his country-house. On the day following, an order of the day, signed by Murat, then Governor of Paris, announced the fact to the citizens, with the additional information, that Moreau was engaged in a conspiracy with Pichegru, Georges, and others, who were closely pursued by the police.

The news of Moreau's imprisonment produced the deepest sensation in Paris; and the reports which were circulated on the subject were by no means favourable to Buonaparte. Some disbelieved the plot entirely, while others, less sceptical, considered the Chief Consul as making a pretext of the abortive attempt of Pichegru and Georges for the purpose of sacrificing Moreau, who was at once his rival in military fame, and the declared opponent of his government. It was even asserted, that

secret agents of Buonaparte in London had been active in encouraging the attempts of the original conspirators, for the sake of implicating a man whom the First Consul both hated and feared. Of this there was no proof; but these and other dark suspicions pervaded men's minds, and all eyes were turned with anxiety upon the issue of the legal investigations which were about to take place.

Upon the 17th February, the great judge of police, by a report[1] which was communicated to the Senate, the Legislative Body, and the Tribunate, denounced Pichegru, Georges, and others, as having returned to France from their exile, with the purpose of overthrowing the government, and assassinating the Chief Consul, and implicated Moreau as having held communication with them. When the report was read in the Tribunate, the brother of Moreau arose, and, recalling the merits and services of his relative, complained of the cruelty of calumniating him without proof, and demanded for him the privilege of an open and public trial.

"This is a fine display of sensibility," said Curee, one of the tribunes, in ridicule of the sensation naturally produced by this affecting incident.

"It is a display of indignation," replied the brother of Moreau, and left the assembly.

The public bodies, however, did what was doubtless expected of them, and carried to the foot of the consular throne the most exaggerated expressions of their interest in the life and safety of him by whom it was occupied.

[1] [See Annual Register, vol. xlvi. p. 616.]

Mean while the vigilance of the police, and the extraordinary means employed by them, accomplished the arrest of almost all the persons concerned in the plot. A false friend, whom Pichegru had trusted to the highest degree, betrayed his confidence for a large bribe, and introduced the gendarmes into his apartment while he was asleep. They first secured the arms which lay beside him, and then his person, after a severe struggle. Georges Cadoudal, perhaps a yet more important capture, fell into the hands of the police soon after. He had been traced so closely, that at length he dared not enter a house, but spent many hours of the day and night in driving about Paris in a cabriolet. On being arrested, he shot one of the gendarmes dead, mortally wounded another, and had nearly escaped from them all. The other conspirators, and those accused of countenancing their enterprise, were arrested to the number of forty persons, who were of very different characters and conditions; some followers or associates of Georges, and others belonging to the ancient nobility. Among the latter were Messrs Armand and Jules Polignac, Charles de la Rivière, and other Royalists of distinction. Chance had also thrown into Buonaparte's power a victim of another description. Captain Wright, the commander of a British brig of war, had been engaged in putting ashore on the coast of Morbihan, Pichegru and some of his companions. Shortly afterwards, his vessel was captured by a French vessel of superior force. Under pretence that his evidence was necessary to the conviction of the French conspirators, he was brought up to Paris,

committed to the Temple, and treated with a rigour which became a prelude to the subsequent tragedy.

It might have been supposed, that among so many prisoners, enough of victims might have been selected to atone with their lives for the insurrection which they were accused of meditating; nay, for the attempt which was alleged to be designed against the person of the First Consul. Most unhappily for his fame, Napoleon thought otherwise; and, from causes which we shall hereafter endeavour to appreciate, sought to give a fuller scope to the gratification of his revenge, than the list of his captives, though containing several men of high rank, enabled him to accomplish.

We have observed, that the residence of the Duke d'Enghien upon the French frontier was to a certain degree connected with the enterprise undertaken by Pichegru, so far as concerned the proposed insurrection of the royalists in Paris. This we infer from the duke's admission, that he resided at Ettenheim in the expectation of having soon a part of importance to play in France.[1] This was perfectly vindicated by his situation and

[1] The passage alluded to is in the Duke of Rovigo's (Savary's) Vindication of his own Conduct. At the same time, no traces of such an admission are to be found in the interrogations, as printed elsewhere. It is also said, that when the duke (then at Ettenheim) first heard of the conspiracy of Pichegru, he alleged that it must have been only a pretended discovery. "Had there been such an intrigue in reality," he said, "my father and grandfather would have let me know something of the matter, that I might provide for my safety." It may be added, that if he had been really engaged in that conspiracy, it is probable that he would have retired from the vicinity of the French territory on the scheme being discovered.

connexions. But that the duke participated in, or countenanced in the slightest degree, the meditated attempt on Buonaparte's life, has never even been alleged, and is contrary to all the proof led in the case, and especially to the sentiments impressed upon him by his grandfather, the Prince of Condé.[1] He lived in great privacy, and amused himself principally with hunting. A pension allowed him by England was his only means of support.

On the evening of the 14th March, a body of

[1] A remarkable letter from the Prince of Condé to the Compte d'Artois, dated 24th January, 1802, contains the following passage, which we translate literally:—"The Chevalier de Roll will give you an account of what has passed here yesterday. A man of a very simple and gentle exterior arrived the night before, and having travelled, as he affirmed, on foot, from Paris to Calais, had an audience of me about eleven in the forenoon, and distinctly offered to rid us of the usurper by the shortest method possible. I did not give him time to finish the details of his project, but rejected the proposal with horror, assuring him that you, if present, would do the same. I told him, we should always be the enemies of him who had arrogated to himself the power and the throne of our Sovereign, until he should make restitution: that we had combated the usurper by open force, and would do so again if opportunity offered; but that we would never employ that species of means which only became the Jacobin party; and if that faction should meditate such a crime, assuredly we would not be their accomplices." This discourse the prince renewed to the secret agent in the presence of the Chevalier de Roll, as a confidential friend of the Compte d'Artois, and, finally, advised the man instantly to leave England, as, in case of his being arrested, the prince would afford him no countenance or protection. The person to whom the Prince of Condé addressed sentiments so worthy of himself and of his great ancestor, afterwards proved to be an agent of Buonaparte, despatched to sound the opinions of the Princes of the House of Bourbon, and if possible to implicate them in such a nefarious project as should justly excite public indignation against them.

French soldiers and gendarmes, commanded by Colonel Ordenner, acting under the direction of Caulaincourt, afterwards called Duke of Vicenza, suddenly entered the territory of Baden, a power with whom France was in profound peace, and surrounded the chateau in which the unfortunate prince resided. The descendant of Condé sprung to his arms, but was prevented from using them by one of his attendants, who represented the force of the assailants as too great to be resisted. The soldiers rushed into the apartment, and, presenting their pistols, demanded to know which was the Duke d'Enghien. "If you desire to arrest him," said the duke, "you ought to have his description in your warrant."—"Then we must seize on you all," replied the officer in command; and the prince, with his little household, were arrested and carried to a mill at some distance from the house, where he was permitted to receive some clothes and necessaries. Being now recognised, he was transferred, with his attendants, to the citadel of Strasburg, and presently afterwards separated from the gentlemen of his household, with the exception of his aide-de-camp, the Baron de St Jacques. He was allowed to communicate with no one. He remained a close prisoner for three days; but on the 18th, betwixt one and two in the morning, he was obliged to rise and dress himself hastily, being only informed that he was about to commence a journey. He requested the attendance of his valet-de-chambre, but was answered that it was unnecessary. The linen which he was permitted to take with him amounted to two shirts only; so nicely

had his worldly wants been calculated and ascertained. He was transported with the utmost speed and secrecy towards Paris, where he arrived on the 20th; and, after having been committed for a few hours to the Temple, was transferred to the ancient Gothic castle of Vincennes, about a mile from the city, long used as a state prison, but whose walls never received a more illustrious or a more innocent victim. There he was permitted to take some repose; and, as if the favour had only been granted for the purpose of being withdrawn, he was awaked at midnight, and called upon to sustain an interrogatory on which his life depended, and to which he replied with the utmost composure. On the ensuing night, at the same dead hour, he was brought before the pretended court. The law enjoined that he should have had a defender appointed to plead his cause. But none such was allotted to him.

The inquisitors before whom he was hurried, formed a military commission of eight officers, having General Hulin as their president. They were, as the proceedings express it, named by Buonaparte's brother-in-law Murat, then governor of Paris. Though necessarily exhausted with fatigue and want of rest, the Duke d'Enghien performed in this melancholy scene a part worthy of the last descendant of the great Condé. He avowed his name and rank, and the share which he had taken in the war against France, but denied all knowledge of Pichegru or of his conspiracy. The interrogations ended by his demanding an audience of the Chief Consul. "My name," he said. "my

rank, my sentiments, and the peculiar distress of my situation, lead me to hope that my request will not be refused."

The military commissioners paused and hesitated—nay, though selected doubtless as fitted for the office, they were even affected by the whole behaviour, and especially by the intrepidity, of the unhappy prince. But Savary, then chief of the police, stood behind the president's chair, and controlled their sentiments of compassion. When they proposed to further the prisoner's request of an audience of the First Consul, Savary cut the discussion short, by saying, that was inexpedient. At length they reported their opinion, that the Duke d'Enghien was guilty of having fought against the Republic, intrigued with England, and maintained intelligence in Strasburg, for the purpose of seizing the place ;—great part of which allegations, and especially the last, was in express contradiction to the only proof adduced, the admission, namely, of the prisoner himself. The report being sent to Buonaparte to know his farther pleasure, the court received for answer their own letter, marked with the emphatic words, " Condemned to death." Napoleon was obeyed by his satraps with Persian devotion. The sentence was pronounced, and the prisoner received it with the same intrepid gallantry which distinguished him through the whole of the bloody scene. He requested the aid of a confessor. " Would you die like a monk ? " is said to have been the insulting reply. The duke, without noticing the insult, knelt down for a minute, and seemed absorbed in profound devotion.

"Let us go," he said, when he arose from his knees. All was in readiness for the execution; and, as if to stamp the trial as a mere mockery, the grave had been prepared ere the judgment of the court was pronounced.[1] Upon quitting the apartment in which the pretended trial had taken place, the prince was conducted by torch-light down a winding stair, which seemed to descend to the dungeons of the ancient castle.

"Am I to be immured in an oubliette?" he said, naturally recollecting the use which had sometimes been made of those tombs for the living.—"No, Monseigneur," answered the soldier he addressed, in a voice interrupted by sobs, "be tranquil on that subject." The stair led to a postern, which opened into the castle ditch, where, as we have already said, a grave was dug, beside which were drawn up a party of the gendarmes d'élite. It was near six o'clock in the morning, and day had dawned. But as there was a heavy mist on the ground, several torches and lamps mixed their pale and ominous light with that afforded by the heavens,—a circumstance which seems to have given rise to the inaccurate report, that a lantern was tied to the button of the victim, that his slayers might take the more certain aim. Savary was again in attendance, and had taken his stance upon

[1] Savary has denied this. It is not of much consequence. The illegal arrest—the precipitation of the mock trial—the disconformity of the sentence from the proof—the hurry of the execution—all prove that the unfortunate prince was doomed to die long before he was brought defore the military commission. [See in Savary's Memoirs, t. ii. p. 221, the Supplementary Chapter, "On the Catastrophe of the Duke d'Enghien."]

a parapet which commanded the place of execution. The victim was stationed, the fatal word was given by the future Duke de Rovigo, the party fired, and the prisoner fell. The body, dressed as it was, and without the slightest attention to the usual decencies of sepulture, was huddled into the grave with as little ceremony as common robbers use towards the carcasses of the murdered.

Paris learned with astonishment and fear the singular deed which had been perpetrated so near her walls. No act had ever excited more universal horror, both in France and in foreign countries, and none has left so deep a stain on the memory of Napoleon. If there were farther proof necessary of the general opinion of mankind on the subject, the anxiety displayed by Savary, Hulin, and the other subaltern agents in this shameful transaction to diminish their own share in it, or transfer it to others, would be sufficient evidence of the deep responsibility to which they felt themselves subjected.

There is but justice, however, in listening to the defence which Buonaparte set up for himself when in Saint Helena, especially as it appeared perfectly convincing to Las Cases, his attendant, who, though reconciled to most of his master's actions, had continued to regard the Duke d'Enghien's death as so great a blot upon his escutcheon, that he blushed even when Napoleon himself introduced the subject.[1]

[1] The reasoning and sentiments of Buonaparte on this subject are taken from the work of Las Cases, tom. iv. parte 7ieme, p. 249, where they are given at great length.

His exculpation seems to have assumed a different and inconsistent character, according to the audience to whom it was stated. Among his intimate friends and followers, he appears to have represented the whole transaction as an affair not of his own device, but which was pressed upon him by surprise by his ministers. "I was seated," he said, "alone, and engaged in finishing my coffee, when they came to announce to me the discovery of some new machination. They represented it was time to put an end to such horrible attempts, by washing myself in the blood of one amongst the Bourbons; and they suggested the Duke d'Enghien as the most proper victim." Buonaparte proceeds to say, that he did not know exactly who the Duke d'Enghien was, far less that he resided so near France as to be only three leagues from the Rhine. This was explained. "In that case," said Napoleon, "he ought to be arrested." His prudent ministers had foreseen this conclusion. They had the whole scheme laid, and the orders ready drawn up for Buonaparte's signature; so that, according to this account, he was hurried into the enormity by the zeal of those about him, or perhaps in consequence of their private views and mysterious intrigues. He also charged Talleyrand with concealing from him a letter,[1] written by the unfortunate prisoner, in which he offered his services to Buonaparte, but which was intercepted by the minister. If this had reached him in time, he intimates that he would have spared

[1] [Napoleon in Exile, v. i. p. 335.]

the prince's life. To render this statement probable, he denies generally that Josephine had interested herself to the utmost to engage him to spare the duke; although this has been affirmed by the testimony of such as declared, that they received the fact from the Empress's own lips.[1]

It is unfortunate for the truth of this statement and the soundness of the defence which it contains, that neither Talleyrand, nor any human being save

[1] [" The idea of the death of the Duke d'Enghien never crossed the First Consul's mind, till he was astonished and confounded by the tidings communicated to him by Savary of his execution. The question was not whether he should be put to death, but whether he should be put on his trial. Joseph, Josephine, Cambacérès, Berthier, earnestly expostulated with the chief magistrate against it. Joseph, who was living at Morfontaine, and transiently in town, on the 20th of March, the day the Duke d'Enghien was taken a prisoner to Paris, spoke to his brother in his behalf, warmly urging the defence of the grandson of the Prince of Condé, who, he reminded his brother, had seven times crowned him for as many distinctions gained at the Royal School: to which expostulation the First Consul's reply affords a curious proof of the state of his mind at the moment. His answer was given by declaiming the following passage from a speech of Cæsar, in Corneille's tragedy of *La Mort de Pompée*:—

'Votre zele est faux, si seul il redoutait
Ce que le monde entier à pleins vœux souhaitait
Et s'il vous a donné ces craintes trop subtiles,
Qui m'ôtent tout le fruit de nos guerres civiles,
Où l'honneur seul m'engage, et que pour terminer
Je ne veux que celui de vaincre et pardonner;
Où mes plus dangereux et plus grands adversaires,
Sitôt qu'ils sont vaincus, ne sont plus que mes frères
Et mon ambition ne va qu'à les forcer,
Ayant domté leur haine, à vivre et m'embrasser.
Oh! combien d'allegresse une si triste guerre
Aurait-elle laisée dessus toute la terre,
Si l'on voyait marcher dessus un même char,
Vainqueurs de leur discorde, et Pompée et César.' "

JOSEPH BUONAPARTE.]

Buonaparte himself, could have the least interest in the death of the Duke d'Enghien. That Napoleon should be furious at the conspiracies of Georges and Pichegru, and should be willing to avenge the personal dangers he incurred; and that he should be desirous to intimidate the family of Bourbon, by "washing himself," as he expresses it, "in the blood of one of their House," was much in character. But that the sagacious Talleyrand should have hurried on a cruel proceeding, in which he had no earthly interest, is as unlikely, as that, if he had desired to do so, he could have been able to elicit from Buonaparte the powers necessary for an act of so much consequence, without his master having given the affair, in all its bearings, the most full and ample consideration. It may also be noticed, that besides transferring a part at least of the guilt from himself, Buonaparte might be disposed to gratify his revenge against Talleyrand, by stigmatizing him, from St Helena, with a crime the most odious to his new sovereigns of the House of Bourbon. Lastly, the existence of the letter above mentioned has never been proved, and it is inconsistent with every thought and sentiment of the Duke d'Enghien. It is besides said to have been dated from Strasburg; and the duke's aide-de-camp, the Baron de St Jacques, has given his testimony, that he was never an instant separated from his patron during his confinement in that citadel; and that the duke neither wrote a letter to Buonaparte nor to any one else. But, after all, if Buonaparte had actually proceeded in this bloody matter upon the instigation of Talley-

rand, it cannot be denied, that, as a man knowing right from wrong, he could not hope to transfer to his counsellor the guilt of the measures which he executed at his recommendation. The murder, like the rebellion of Absalom, was not less a crime, even supposing it recommended and facilitated by the unconscientious counsels of a modern Achitophel.

Accordingly, Napoleon has not chosen to trust to this defence; but, inconsistently with this pretence of being hurried into the measure by Talleyrand, he has, upon other occasions, broadly and boldly avowed that it was in itself just and necessary; that the Duke d'Enghien was condemned by the laws, and suffered execution accordingly under their sanction.

It is an easy task to show, that even according to the law of France, jealous and severe as it was in its application to such subjects, there existed no right to take the life of the duke. It is true he was an emigrant, and the law denounced the penalty of death against such of these as should return to France with arms in their hands. But the duke did not so return—nay, his returning at all was not an act of his own, but the consequence of violence exercised on his person. He was in a more favourable case than even those emigrants whom storms had cast on their native shore, and whom Buonaparte himself considered as objects of pity, not of punishment. He had indeed borne arms against France; but as a member of the House of Bourbon, he was not, and could not be accounted, a subject of Buonaparte, having left the country

before his name was heard of; nor could he be considered as in contumacy against the state of France, for he, like the rest of the royal family, was specially excluded from the benefits of the amnesty which invited the return of the less distinguished emigrants. The act by which he was trepanned, and brought within the compass of French power, not of French law, was as much a violation of the rights of nations, as the precipitation with which the pretended trial followed the arrest, and the execution the trial, was an outrage upon humanity. On the trial no witnesses were produced, nor did any investigation take place, saving by the interrogation of the prisoner. Whatever points of accusation, therefore, are not established by the admission of the duke himself, must be considered as totally unproved. Yet this unconscientious tribunal not only found their prisoner guilty of having borne arms against the Republic, which he readily admitted, but of having placed himself at the head of a party of French emigrants in the pay of England, and carried on machinations for surprising the city of Strasburg; charges which he himself positively denied, and which were supported by no proof whatever.

Buonaparte, well aware of the total irregularity of the proceedings in this extraordinary case, seems, on some occasions, to have wisely renounced any attempt to defend what he must have been convinced was indefensible, and has vindicated his conduct upon general grounds, of a nature well worthy of notice. It seems that, when he spoke of the death of the Duke d'Enghein among his

attendants, he always chose to represent it as a case falling under the ordinary forms of law, in which all regularity was observed, and where, though he might be accused of severity, he could not be charged with violation of justice. This was safe language to hearers from whom he was sure to receive neither objection nor contradiction, and is just an instance of an attempt, on the part of a conscientiously guilty party, to establish, by repeated asseverations, an innocence which was inconsistent with fact. But with strangers, from whom replies and argument might be expected, Napoleon took broader grounds. He alleged the death of the Duke d'Enghien to be an act of self-defence, a measure of state policy, arising out of the natural rights of humanity, by which a man, to save his own life, is entitled to take away that of another. "I was assailed," he said, "on all hands by the enemies whom the Bourbons raised up against me; threatened with air-guns, infernal machines, and deadly stratagems of every kind. I had no tribunal on earth to which I could appeal for protection, therefore I had a right to protect myself; and by putting to death one of those whose followers threatened my life, I was entitled to strike a salutary terror into the others." [1]

We have no doubt that, in this argument, which is in the original much extended, Buonaparte explained his real motives; at least we can only add to them the stimulus of obstinate resentment, and implacable revenge. But the whole resolves itself

[1] [See Las Cases, t. iv. p. 269]

into an allegation of that state necessity, which has been justly called the Tyrant's plea, and which has always been at hand to defend, or rather to palliate the worst crimes of sovereigns. The prince may be lamented, who is exposed, from civil disaffection, to the dagger of the assassin, but his danger gives him no right to turn such a weapon even against the individual person by whom it is pointed at him. Far less could the attempt of any violent partisans of the House of Bourbon authorize the First Consul to take, by a suborned judgment, and the most precipitate procedure, the life of a young prince, against whom the accession to the conspiracies of which Napoleon complained had never been alleged, far less proved. In every point of view, the act was a murder; and the stain of the Duke d'Enghien's blood must remain indelibly upon Napoleon Buonaparte.

With similar sophistry, he attempted to daub over the violation of the neutral territory of Baden, which was committed for the purpose of enabling his emissaries to seize the person of his unhappy victim. This, according to Buonaparte, was a wrong which was foreign to the case of the Duke d'Enghien, and concerned the sovereign of Baden alone. As that prince never complained of this violation, "the plea," he contended, "could not be used by any other person."[1] This was merely speaking as one who has power to do wrong. To whom was the Duke of Baden to complain, or what reparation could he expect by doing so? He

[1] [See Las Cases, t. iv. p. 271.]

was in the condition of a poor man, who suffers injustice at the hands of a wealthy neighbour, because he has no means to go to law, but whose acquiescence under the injury cannot certainly change its character, or render that invasion just which is in its own character distinctly otherwise. The passage may be marked as showing Napoleon's unhappy predilection to consider public measures not according to the immutable rules of right and wrong, but according to the opportunities which the weakness of one kingdom may afford to the superior strength of another.[1]

It may be truly added, that even the pliant argument of state necessity was far from justifying this fatal deed. To have retained the Duke d'Enghien a prisoner, as a hostage who might be made responsible for the Royalists' abstaining from their plots, might have had in it some touch of policy; but the murder of the young and gallant prince, in a way so secret and so savage, had a deep moral effect upon the European world, and excited hatred against Buonaparte wherever the tale was told. In the well-known words of Fouché, the duke's execution was worse than a moral crime—it was a political blunder.[2] It had this consequence most unfortunate for Buonaparte, that it seemed

[1] [See, in the *Appendix* to this volume, No. III., "FURTHER PARTICULARS CONCERNING THE ARREST, TRIAL, AND DEATH OF THE DUKE D'ENGHIEN."]

[2] ["I was not the person who hesitated to express himself with the least restraint, respecting this violence against the rights of nations and humanity. 'It is more than a crime,' I said, 'it is a political blunder;' words which I record, because they have been repeated and attributed to others."—FOUCHÉ, t. i. p. 266.]

to stamp his character as bloody and unforgiving; and in so far prepared the public mind to receive the worst impressions, and authorized the worst suspicions, when other tragedies of a more mysterious character followed that of the last of the race of Condé.[1]

The Duke d'Enghien's execution took place on the 21st March; on the 7th April following, General Pichegru was found dead in his prison. A black handkerchief was wrapped round his neck, which had been tightened by twisting round a short stick inserted through one of the folds. It was asserted that he had turned this stick with his own hands, until he lost the power of respiring, and then, by laying his head on the pillow, had secured the stick in its position. It did not escape the public, that this was a mode of terminating life far more likely to be inflicted by the hands of others than those of the deceased himself. Surgeons were found, but men, it is said, of small reputation, to sign a report upon the state of the body, in which they affirm that Pichegru had died

[1] ["I deplore as much as any man can possibly do, the catastrophe of the Duke d'Enghien; but as Napoleon has himself spoken of it, it does not become me to add another word. I shall only observe, that this affair is far from having been cleared up—that it was impossible that my brother should have brought the Prince to Paris to be immolated—that he who established a Bourbon in Tuscany, had quite a contrary design, and one which could but be favourable; else why cause so distinguished a prince to make a journey to Paris, when his presence in traversing France could but be dangerous? If it be asked, why the commendable design attributed to Napoleon was not followed up, and was so cruelly changed, I cannot explain: but I am persuaded that impartial history will one day reveal this secret."—Louis Buonaparte, p. 40.]

by suicide; yet as he must have lost animation and sense so soon as he had twisted the stick to the point of strangulation, it seems strange he should not have then unclosed his grasp on the fatal tourniquet, which he used as the means of self-destruction. In that case the pressure must have relaxed, and the fatal purpose have remained unaccomplished. No human eye could see into the dark recesses of a state prison, but there were not wanting many who entertained a total disbelief of Pichegru's suicide. It was argued that the First Consul did not dare to bring before a public tribunal, and subject to a personal interrogatory, a man of Pichegru's boldness and presence of mind—it was said, also, that his evidence would have been decisively favourable to Moreau—that the citizens of Paris were many of them attached to Pichegru's person—that the soldiers had not forgotten his military fame—and, finally, it was reported, that in consideration of these circumstances, it was judged most expedient to take away his life in prison. Public rumour went so far as to name, as the agents in the crime, four of those Mamelukes, of whom Buonaparte had brought a small party from Egypt, and whom he used to have about his person as matter of parade. This last assertion had a strong impression on the multitude, who are accustomed to think, and love to talk, about the mutes and bowstrings of Eastern despotism. But with well-informed persons, its improbability threw some discredit on the whole accusation. The state prisons of France must have furnished from their officials enough of men as relentless and dexterous

in such a commission as those Eastern strangers, whose unwonted appearance in these gloomy regions must have at once shown a fatal purpose, and enabled every one to trace it to Buonaparte.[1]

A subsequent catastrophe, of nearly the same kind, increased by its coincidence the dark suspicions which arose out of the circumstances attending the death of Pichegru.

Captain Wright, from whose vessel Pichegru and his companions had disembarked on the French coast, had become, as we have said, a prisoner of war, his ship being captured by one of much superior force, and after a most desperate defence. Under pretext that his evidence was necessary to the con-

[1] ["M. de Bourrienne does not scruple to charge with a frightful crime the man whom he calls the friend of his youth, in whose service he had been for years, and by whom he sought to be again employed, as long as fortune was on his side. In my conscience, I believe there never existed a man less capable of committing such a crime than Napoleon; yet it is he whom the schoolfellow of Brienne dares to accuse. On the morning of Pichegru's death, I was in the First Consul's cabinet in the Tuileries, searching for some papers, when Savary was announced, and I heard him detail the particulars of the suicide, precisely as they were afterwards published. I read on Napoleon's countenance the surprise which the event created, and little imagined that there were men so base as to charge him with so detestable and uncalled-for a murder; for the meeting between Pichegru and Moreau had been fully established."—JOSEPH BUONAPARTE.—"What advantage could accrue to me from Pichegru's assassination?—a man who was evidently guilty, against whom every proof was ready, and whose condemnation was certain. The fact is, that he found himself in a hopeless situation; his high mind could not bear to contemplate the infamy of a public execution, he despaired of my clemency, or disdained to appeal to it, and put an end to his existence."—NAPOLEON, *Las Cases*, t. iv. p. 258.]

viction of Pichegru and Georges, he was brought to Paris, and lodged a close prisoner in the Temple. It must also be mentioned, that Captain Wright had been an officer under Sir Sidney Smith, and that the mind of Buonaparte was tenaciously retentive of animosity against those who had aided to withstand a darling purpose, or diminish and obscure the military renown, which was yet more dear to him. The treatment of Captain Wright was—must have been severe, even if it extended no farther than solitary imprisonment; but reports went abroad, that torture was employed to bring the gallant seaman to such confessions as might suit the purposes of the French Government. This belief became very general, when it was heard that Wright, like Pichegru, was found dead in his apartment, with his throat cut from ear to ear, the result, according to the account given by Government, of his own impatience and despair. This official account of the second suicide committed by a state prisoner, augmented and confirmed the opinions entertained concerning the death of Pichegru, which it so closely resembled. The unfortunate Captain Wright was supposed to have been sacrificed, partly perhaps to Buonaparte's sentiments of petty vengeance, but chiefly to conceal, within the walls of the Temple, the evidence which his person would have exhibited in a public court of justice, of the dark and cruel practices by which confession was sometimes extorted.

Buonaparte always alleged his total ignorance concerning the fate of Pichegru and Wright, and

affirmed upon all occasions, that they perished, so far as he knew, by their own hands, and not by those of assassins. No proof has ever been produced to contradict his assertion; and so far as he is inculpated upon these heads, his crime can be only matter of strong suspicion. But it was singular that this rage for suicide should have thus infected the state prisons of Paris, and that both these men, determined enemies of the Emperor, should have adopted the resolution of putting themselves to death, just when that event was most convenient to their oppressor. Above all, it must be confessed, that, by his conduct towards the Duke d'Enghien, Buonaparte had lost that fairness of character to which he might otherwise have appealed, as in itself an answer to the presumptions formed against him. The man who, under pretext of state necessity, ventured on such an open violation of the laws of justice, ought not to complain if he is judged capable, in every case of suspicion, of sacrificing the rights of humanity to his passions or his interest. He himself has affirmed, that Wright died long before it was announced to the public, but has given no reason why silence was preserved with respect to the event.[1] The Duke de Rovigo, also denying all knowledge of Wright's death, acknowledges that it was a dark and mysterious subject, and intimates his belief that Fouché was at the bottom of the tragedy.[2] In Fouché's real or pre-

[1] [See Napoleon in Exile, v. ii. p. 215.]

[2] [" When, as minister of the police, the sources of information were open to me, I ascertained that Wright cut his throat in

tended Memoirs, the subject is not mentioned. We leave, in the obscurity in which we found it, a dreadful tale, of which the truth cannot, in all probability, be known, until the secrets of all hearts shall be laid open.

Rid of Pichegru, by his own hand or his jailor's, Buonaparte's government was now left to deal with Georges and his comrades, as well as with Moreau. With the first it was an easy task, for the Chouan chief retained, in the court of criminal justice before which he was conveyed, the same fearless tone of defiance which he had displayed from the beginning. He acknowledged that he came to Paris for the sake of making war personally on Napoleon, and seemed only to regret his captivity, as it had disconcerted his enterprise. He treated the judges with cool contempt, and amused himself by calling Thuriot, who conducted the process, and who had been an old Jacobin, by the name of Monsieur Tue-Roi. There was no difficulty in obtaining sentence of death against Georges and nineteen of his associates; amongst whom was Armand de Polignac, for whose life his brother affectionately tendered his own. Armand de Polignac,

despair, after reading the account of the capitulation of the Austrian general, Mack, at Ulm, that is, while Napoleon was engaged in the campaign of Austerlitz. Can any one, in fact, without alike insulting common sense and glory, admit that the Emperor had attached so much importance to the destruction of a scurvy lieutenant of the English navy, as to send from one of his most glorious fields of battle the order for his destruction? It has been added, that it was I who received from him this commission: now I never quitted him for a single day during the whole campaign, from his departure from Paris till his return." —Savary, t. ii. p. 61.]

however, with seven others, were pardoned by Buonaparte; or rather banishment in some cases, and imprisonment in others, were substituted for a capital punishment. Georges and the rest were executed, and died with the most determined firmness.

The discovery and suppression of this conspiracy seems to have produced, in a great degree, the effects expected by Buonaparte. The Royal party became silent and submissive, and, but that their aversion to the reign of Napoleon showed itself in lampoons, satires, and witticisms, which were circulated in their evening parties, it could hardly have been known to exist. Offers were made to Buonaparte to rid him of the remaining Bourbons, in consideration of a large sum of money; but with better judgment than had dictated his conduct of late, he rejected the proposal. His interest, he was now convinced, would be better consulted by a line of policy which would reduce the exiled family to a state of insignificance, than by any rash and violent proceedings which must necessarily draw men's attention, and, in doing so, were likely to interest them in behalf of the sufferers, and animate them against their powerful oppressor. With this purpose, the names of the exiled family were, shortly after this period, carefully suppressed in all periodical publications, and, with one or two exceptions, little allusion to their existence can be traced in the pages of the official journal of France; and unquestionably, the policy was wisely adopted towards a people so light, and animated so intensely with the interest of the mo-

ment, as the French, to whom the present is a great deal, the future much less, and the past nothing at all.

Though Georges's part of the conspiracy was disposed of thus easily, the trial of Moreau involved a much more dangerous task. It was found impossible to procure evidence against him, beyond his own admission that he had seen Pichegru twice; and this admission was coupled with a positive denial that he had engaged to be participant in his schemes. A majority of the judges seemed disposed to acquit him entirely, but were cautioned by the president Hemart, that, by doing so, they would force the government upon violent measures. Adopting this hint, and willing to compromise matters, they declared Moreau guilty, but not to the extent of a capital crime. He was subjected to imprisonment for two years; but the soldiers continuing to interest themselves in his fate, Fouché, who about this time was restored to the administration of police, interceded warmly in his favour,[1] and seconded the applications of Madame Moreau, for a commutation of her husband's sentence.[2] His doom of imprisonment was therefore exchanged for that of exile; a mode of punishment safer for Moreau, considering the late incidents in

[1] [Mémoires de Fouché, t. i. 267.]

[2] ["I was the person whom the First Consul sent to him in the Temple to communicate his consent, and to make arrangements with him for his departure. I gave him my own carriage, and the First Consul paid all the expenses of his journey to Barcelona. The general expressed a wish to see Madame Moreau; I went myself to fetch her, and brought her to the Temple." —Savary, t. ii. p. 66.]

the prisons of state; and more advantageous for Buonaparte, as removing entirely from the thoughts of the republican party, and of the soldiers, a leader, whose military talents brooked comparison with his own, and to whom the public eye would naturally be turned when any cause of discontent with their present government might incline them to look elsewhere. Buonaparte thus escaped from the consequences of this alarming conspiracy; and, like a patient whose disease is brought to a favourable crisis by the breaking of an imposthume, he attained additional strength by the discomfiture of those secret enemies.

CHAPTER XXIX.

General indignation of Europe in consequence of the Murder of the Duke d'Enghien.—Russia complains to Talleyrand of the violation of Baden; and, along with Sweden, remonstrates in a Note laid before the German Diet—but without effect.—Charges brought by Buonaparte against Mr Drake, and Mr Spencer Smith—who are accordingly dismissed from the Courts of Stuttgard and Munich.—Seizure—imprisonment—and dismissal—of Sir George Rumbold, the British Envoy at Lower Saxony.—Treachery attempted against Lord Elgin, by the Agents of Buonaparte—Details—Defeated by the exemplary Prudence of that Nobleman.—These Charges brought before the House of Commons, and peremptorily denied by the Chancellor of the Exchequer.

BUONAPARTE, as we have seen, gained a great accession of power by the event of Pichegru's conspiracy. But this was in some measure counterbalanced by the diminution of character which attached to the kidnapping and murdering the Duke d'Enghien, and by the foul suspicions arising from the mysterious fate of Pichegru and Wright. He possessed no longer the respect which might be claimed by a victor and legislator, but had distinctly shown that either the sudden tempest of ungoverned passion, or the rankling feelings of personal hatred, could induce him to take the

readiest means of wreaking the basest, as well as the bloodiest vengeance. Deep indignation was felt through every country on the Continent, though Russia and Sweden alone ventured to express their dissatisfaction with a proceeding so contrary to the law of nations. The court of St Petersburg went into state mourning for the Duke d'Enghien, and while the Russian minister at Paris presented a note to M. Talleyrand, complaining of the violation of the Duke of Baden's territory, the Russian resident at Ratisbon was instructed to lay before the Diet of the Empire a remonstrance to the same effect. The Swedish minister did the same. The answer of the French minister was hostile and offensive.[1] He treated with scorn the pretensions of Russia to interfere in the affairs of France and Germany, and accused that power of being desirous to rekindle the flames of war in Europe. This correspondence tended greatly to inflame the discontents already subsisting betwixt France and Russia, and was one main cause of again engaging France in war with that powerful enemy.

The Russian and Swedish remonstrance to the Diet produced no effect. Austria was too much depressed, Prussia was too closely leagued with France, to be influenced by it; and there were none of the smaller powers who could be expected to provoke the displeasure of the First Consul, by seconding the complaint of the violation of the territory of Baden. The blood of the Duke d'En-

[1] [See Annual Register, vol. xlvi. pp. 642-656.]

ghien was not, however, destined to sleep unavenged in his obscure dwelling. The Duke of Baden himself requested the matter might be left to silence and oblivion; but many of the German potentates felt as men, what they dared not, in their hour of weakness, resent as princes. It was a topic repeatedly and efficaciously resumed whenever an opportunity of resistance against the universal conqueror presented itself; and the perfidy and cruelty of the whole transaction continued to animate new enemies against him, until, in the issue, they became strong enough to work his overthrow. From the various and inconsistent pleas which Buonaparte set up in defence of his conduct, now attempting to justify, now to apologize for, now to throw on others a crime which he alone had means and interest to commit, it is believed that he felt the death of the Duke d'Enghien to be the most reprehensible as well as the most impolitic act in his life.

Already aware of the unpopularity which attached to his late cruel proceedings, Buonaparte became desirous to counterbalance it by filling the public mind with a terrific idea of the schemes of England, which, in framing and encouraging attempts upon his life, drove him to those unusual and extraordinary acts, which he desired to represent as measures of retaliation. Singular manœuvres were resorted to for the purpose of confirming the opinions which he was desirous to impress upon the world. The imprudence—so at least it seems—of Mr Drake, British resident at Munich, enabled Buonaparte to make his charges against England with some speciousness. This agent of the British

Government had maintained a secret correspondence with a person of infamous character, called Mehee de la Touche, who, affecting the sentiments of a Royalist and enemy of Buonaparte, was in fact employed by the First Consul to trepan Mr Drake into expressions which might implicate the English ministers, his constituents, and furnish grounds for the accusations which Buonaparte made against them. It certainly appears that Mr Drake endeavoured, by the medium of De la Touche, to contrive the means of effecting an insurrection of the Royalists, or other enemies of Buonaparte, with whom his country was then at war; and in doing so, he acted according to the practice of all belligerent powers, who, on all occasions, are desirous to maintain a communication with such malecontents as may exist in the hostile nation. But, unless by the greatest distortion of phrase and expression, there arises out of the letters not the slightest room to believe that Mr Drake encouraged the party with whom he supposed himself to be in correspondence, to proceed by the mode of assassination, or any others that are incompatible with the law of nations, and acknowledged by civilized governments. The error of Mr Drake seems to have been, that he was not sufficiently cautious respecting the sincerity of the person with whom he maintained his intercourse. Mr Spencer Smith, the British envoy at Stuttgard, was engaged in a similar intrigue, which appears also to have been a snare spread for him by the French Government.

Buonaparte failed not to make the utmost use of

these pretended discoveries, which were promulgated with great form by Regnier,[1] who held the office of grand judge. He invoked the faith of nations, as if the Duke d'Enghien had been still residing in peaceable neutrality at Ettenheim, and exclaimed against assassination, as if his state dungeons could not have whispered of the death of Pichegru. The complaisant sovereigns of Stuttgard and Munich readily ordered Smith and Drake to leave their courts; and the latter was forced to depart on foot, and by cross-roads, to avoid being kidnapped by the French gendarmes.

The fate which Mr Drake dreaded, and perhaps narrowly escaped, actually befell Sir George Rumbold, resident at the free German city of Hamburgh, in the capacity of his British Majesty's envoy to the Circle of Lower Saxony. On the night of the 25th October, he was seized, in violation of the rights attached by the law of nations to the persons of ambassadors, as well as to the territories of neutral countries, by a party of the French troops, who crossed the Elbe for that purpose. The envoy, with his papers, was then transferred to Paris in the capacity of a close prisoner, and thrown into the fatal Temple. The utmost anxiety was excited even amongst Buonaparte's ministers, lest this imprisonment should be intended as a prelude to further violence; and both Fouché and Talleyrand exerted what influence they possessed over the mind of Napoleon, to prevent the proceed-

[1] [For the First and Second Reports of the Grand Judge to the First Consul, on the alleged Conspiracies against him, see Annual Register, vol. xlvi. 619, 622.]

ings which were to be apprehended. The King of Prussia also extended his powerful interposition; and the result was, that Sir George Rumbold, after two days' imprisonment, was dismissed to England, on giving his parole not to return to Hamburgh. It seems probable, although the *Moniteur* calls this gentleman the worthy associate of Drake and Spencer Smith, and speaks of discoveries amongst his papers which were to enlighten the public on the policy of England, that nothing precise was alleged against him, even to palliate the outrage which the French ruler had committed.

The tenor of Buonaparte's conduct in another instance, towards a British nobleman of distinction, though his scheme was rendered abortive by the sagacity of the noble individual against whom it was directed, is a striking illustration of the species of intrigue practised by the French police, and enables us to form a correct judgment of the kind of evidence upon which Buonaparte brought forward his calumnious accusation against Britain and her subjects.

The Earl of Elgin, lately ambassador of Great Britain at the Porte, had, contrary to the usage among civilized nations, been seized upon with his family as he passed through the French territory; and during the period of which we are treating, he was residing upon his parole near Pau, in the south of France, as one of the *Détenus*. Shortly after the arrest of Moreau, Georges, &c., an order arrived for committing his lordship to close custody, in reprisal, it was said, of severities exercised in England on the French General Boyer. The

truth was, that the affair of General Boyer had been satisfactorily explained to the French Government. In the Parisian papers, on the contrary, his lordship's imprisonment was ascribed to barbarities which he was said to have instigated against the French prisoners of war in Turkey—a charge totally without foundation. Lord Elgin was, however, transferred to the strong castle of Lourdes, situated on the descent of the Pyrenees, where the commandant received him, though a familiar acquaintance, with the reserve and coldness of an entire stranger. Attempts were made by this gentleman and his lieutenant to exasperate the feelings which must naturally agitate the mind of a man torn from the bosom of his family, and committed to close custody in a remote fortress, where the accommodation was as miserable as the castle itself was gloomy, strong, and ominously secluded from the world. They failed, however, in extracting from their prisoner any expressions of violence or impatience, however warranted by the usage to which he was subjected.

After a few days' confinement, a serjeant of the guard delivered to Lord Elgin a letter, the writer of which informed him, that, being his fellow prisoner, and confined in a secluded dungeon, he regretted he could not wait on his lordship, but that when he walked in the court-yard, he could have conversation with him at the window of his room. Justly suspecting this communication, Lord Elgin destroyed the letter; and while he gave the serjeant a louis d'or, told him, that if he or any of his comrades should again bring him any secret letter

or message, he would inform the commandant of the circumstance. Shortly afterwards, the commandant of the fortress, in conversation with Lord Elgin, spoke of the prisoner in question as a person whose health was suffering for want of exercise; and next day his lordship saw the individual walking in the court-yard before his window. He manifested every disposition to engage his lordship in conversation, which Lord Elgin successfully avoided.

A few weeks afterwards, and not till he had been subjected to several acts of severity and vexation, Lord Elgin was permitted to return to Pau. But he was not yet extricated from the nets in which it was the fraudulent policy of the French Government to involve him. The female, who acted as porter to his Lordship's lodgings, one morning presented him with a packet, which she said had been left by a woman from the country, who was to call for an answer. With the same prudence which distinguished his conduct at Lourdes, Lord Elgin detained the portress in the apartment, and found that the letter was from the state prisoner already mentioned; that it contained an account of his being imprisoned for an attempt to burn the French fleet; and detailed his plan as one which he had still in view, and which he held out in the colours most likely, as he judged, to interest an Englishman. The packet also covered letters to the Compte d'Artois, and other foreigners of distinction, which Lord Elgin was requested to forward with his best convenience. Lord Elgin thrust the letters into the fire in presence of the portress, and kept her in the

room till they were entirely consumed; explaining to her, at the same time, that such letters to him as might be delivered by any other channel than the ordinary post, should be at once sent to the governor of the town. His lordship judged it his farther duty to mention to the prefect the conspiracy detailed in the letter, under the condition, however, that no steps should be taken in consequence, unless the affair became known from some other quarter.

Some short time after these transactions, and when Buonaparte was appointed to assume the imperial crown, (at which period there was hope of a general act of grace, which should empty the prisons,) Lord Elgin's fellow-captive at Lourdes, being, it seems, a real prisoner, as well as a spy, in hopes of meriting a share in this measure of clemency, made a full confession of all which he had done or designed to do against Napoleon's interest. Lord Elgin was naturally interested in this confession, which appeared in the *Moniteur*, and was a good deal surprised to see that a detail, otherwise minute, bore no reference to, or correspondence regarding, the plan of burning the Brest fleet. He lost no time in writing an account of the particulars we have mentioned to a friend at Paris, by whom they were communicated to Monsieur Fargues, senator of the district of Bearn, whom these plots particularly interested as having his senatorie for their scene. When Lord Elgin's letter was put into his hand, the senator changed countenance, and presently after expressed his high congratulation at what he called Lord El-

gin's providential escape. He then intimated, with anxious hesitation, that the whole was a plot to entrap Lord Elgin; that the letters were written at Paris, and sent down to Bearn by a confidential agent, with the full expectation that they would be found in his lordship's possession. This was confirmed by the commandant of Lourdes, with whom Lord Elgin had afterwards an unreserved communication, in which he laid aside the jailor, and resumed the behaviour of a gentleman. He imputed Lord Elgin's liberation to the favourable report which he himself and his lieutenant had made of the calm and dignified manner in which his lordship had withstood the artifices which they had been directed to use, with a view of working on his feelings, and leading him into some intemperance of expression against France or her ruler; which might have furnished a pretext for treating him with severity, and for implicating the British Government in the imprudence of one of her nobles, invested with a diplomatic character.[1]

The above narrative forms a singularly luminous commentary on the practices imputed to Messrs Drake and Spencer, and subsequently to Sir George Rumbold; nor is it a less striking illustration of the detention of the unfortunate Captain Wright. With one iota less of prudence and presence of mind, Lord Elgin must have been entangled in the snare which was so treacherously spread for him. Had he even engaged in ten

[1] This account is abstracted from the full details which Lord Elgin did us the honour to communicate in an authenticated manuscript.

minutes conversation with the villanous spy and incendiary, it would have been in the power of such a wretch to represent the import after his own pleasure. Or had his lordship retained the packet of letters even for half an hour in his possession, which he might have most innocently done, he would probably have been seized with them upon his person, and it must in that case have been impossible for him to repel such accusations, as Buonaparte would have no doubt founded on a circumstance so suspicious.

While Napoleon used such perfidious means, in order to attach, if possible, to a British ambassador of such distinguished rank, the charge of carrying on intrigues against his person, the British ministers, in a tone the most manly and dignified, disclaimed the degrading charges which had been circulated against them through Europe. When the topic was introduced by Lord Morpeth[1] into the British House of Commons, by a motion respecting the correspondence of Drake, the Chancellor of the Exchequer replied, "I thank the noble lord for giving me an opportunity to repel, openly and courageously, one of the most gross and most atrocious calumnies ever fabricated in one civilized nation to the prejudice of another. I affirm, that no power has been given, no instruction has been sent, by this government to any individual, to act in a manner contrary to the law of nations. I again affirm, as well in my own name as in that of my colleagues, that we have not authorized any

[1] [Now Earl of Carlisle.]

human being to conduct himself in a manner contrary to the honour of this country, or the dictates of humanity."[1]

This explicit declaration, made by British ministers in a situation where detected falsehood would have proved dangerous to those by whom it was practised, is to be placed against the garbled correspondence of which the French possessed themselves, by means violently subversive of the law of nations; and which correspondence was the result of intrigues that would never have existed but for the treacherous suggestions of their own agents.

[1] [See Parliamentary Debates, April 16, 1804, v. ii. p. 131.]

APPENDIX.

No. I.

HISTORICAL NOTES ON THE EIGHTEENTH BRUMAIRE.[1]

[See p. 11.]

The following facts, which have never been made public, but with which we have been favoured from an authentic channel, throw particular light on the troubled period during which Napoleon assumed the supreme power—the risks which he ran of being anticipated in his aim, or of altogether missing it.

In the end of July, 1799, when all those discontents were fermenting, which afterwards led to the Revolution of the 18th Brumaire,

General Augereau, with one of the most celebrated veterans of the Republican army, attended by a deputation of six persons, amongst whom were Salicetti and other members of Convention, came on a mission to General Bernadotte, their minister at war, at an early hour in the morning.

Their object was to call the minister's attention to a general report, which announced that there was to be a speedy alteration of the constitution and existing order of things. They accused Barras, Siêyes, and Fouché, as being the authors of these intrigues. It was generally believed, they said, that one of the directors (Barras) was for restoring the Bourbons; another (Siêyes is probably meant) was for electing the Duke of Brunswick. The deputation made Bernadotte acquainted with their

[1] ["Les notes historiques, qui sont inserées comme appendice à la fin du dernier volume de la Vie de Napoleon, sont attribuées au General Bernadotte, actuellement Roi de Suède, mais qu'il faut plutôt regarder comme l'ouvrage d'un ami indiscret. C'est pourtant dans ces notes que, sans les citer jamais, Bourrienne a évidemment puisé à pleines mains."—*Observations sur le 18 Brumaire de M. de Bourrienne, par* M. Boulay de la Meurthe, *Ancien Ministre d'Etat.*]

purpose of fulminating a decree of arrest against the two official persons. Having first enquired what proofs they could produce in support of their allegations, and being informed that they had no positive proof to offer, the minister informed them that he would not participate in the proposed act of illegal violence. "I require your word of honour," he said, "that you will desist from this project. It is the only mode to ensure my silence on the subject." One of the deputation, whom the minister had reason to regard as a man of the most exemplary loyalty, and with whom he had had connexions in military service, replied to him, "Our intention was to have placed you in possession of great power, being well persuaded that you would not abuse it. Since you do not see the matter as we do, the affair is at an end. We give up our scheme. Let the affair be buried in complete oblivion." In less than two months afterwards, Buonaparte's arrival gave a new turn to the state of affairs.

He landed, as is well known, at Frejus, after having abandoned his army, and broke the quarantine laws. When this intelligence reached Bernadotte, he intimated to the Directory, that there was not an instant to lose in having him brought before a council of war. General Debel was instructed to make this communication to a member of the Directory, who was one of his friends. Colonel St Martin, of the artillery, spoke to this director to the same purpose. His answer was, "We are not strong enough." On its being said that Bernadotte was of opinion that Buonaparte should be proceeded against according to the principles of military discipline, and that the opportunity which occurred should be laid hold of, the director replied, "Let us wait."

Buonaparte arrived at Paris. All the generals went to visit him. A public dinner to him was proposed, and a list for that purpose handed about. When it was presented to Bernadotte by two members of the Council of Five Hundred, he said to them, "I would advise you to put off this dinner till he account satisfactorily for having abandoned his army."[1]

[1] When Bernadotte came into the ministry, it became a question whether Buonaparte should not be sent for from Egypt.—"It is the army you mean," said the minister,—"for as to the general, you know he has an eye to the dictatorship; and sending vessels to bring him to France, would just be giving it to him."

A French fleet was at that time cruising in the Mediterranean,—the minister insisted that it should be ordered to Toulon.

More than twelve days had elapsed before Bernadotte saw Buonaparte. At the request of Joseph, his brother-in-law, and of Madame Leclerc, Buonaparte's sister, Bernadotte at length went to visit him. The conversation turned upon Egypt. Buonaparte having begun to talk of public affairs, Bernadotte allowed him to enlarge on the necessity of a change in the government; and at last, perceiving that Buonaparte, aware of the awkwardness of his situation, was exaggerating the unfavourable circumstances in the situation of France,—"But, general," said Bernadotte, "the Russians are beaten in Switzerland, and have retired into Bohemia; a line of defence is maintained between the Alps and the Ligurian Apennines; we are in possession of Genoa; Holland is saved—the Russian army that was there is destroyed, and the English army has retired to England:—15,000 insurgents have just been dispersed in the department of the Upper Garonne, and constrained to take refuge in Spain:—at this moment we are busied in raising two hundred auxiliary battalions of 1000 men each, and 40,000 cavalry; and in three months at most, we shall not know what to do with this multitude of torrents. Indeed, if you had been able to bring the army of Egypt with you, the veterans who compose it would have been very useful in forming our new corps. Though we should look upon this army as lost, unless it return by virtue of a treaty, I do not despair of the safety of the Republic, and I am convinced she will withstand her enemies both at home and abroad." While pronouncing the words *enemies at home,* Bernadotte unintentionally looked in the face of Buonaparte, whose confusion was evident. Madame Buonaparte changed the conversation, and Bernadotte soon after took leave.

Some days afterwards, M. R——, formerly chief secretary to the minister of war, begged General Bernadotte to introduce him to Buonaparte. The general carried him along with him. After the usual compliments, they began to talk of the situation of France. Buonaparte spoke much of the great excitement of feeling among the republicans, and particularly in the "*club du manège.*" Bernadotte said, in answer, "When an impulse is once given, it is not easily stopped. This you have often experienced. After having impressed on the army of Italy a movement of patriotic enthusiasm, you could not repress this feeling when you judged it proper to do so. The same thing happens now. A number of individuals, and your own brothers principally, have formed the club you speak of. I have never belonged to it. I was too busy, and had too many duties to perform as

minister, to be able to attend it. You have alleged that I have favoured these meetings. This is not correct. I have indeed supported many respectable persons who belonged to this club, because their views were honest, and they hoped to give prevalence to a spirit of moderation and prudence, which is generally thrown aside by ambitious men. Salicetti, a particular friend and secret confidant of your brothers, was one of the directors of that meeting. It has been believed by observers, and is believed still, that the state of excitement which you complain of, has originated in the instructions received by Salicetti."

Here Buonaparte lost temper, and declared that he would rather live in the woods, than continue to exist in the midst of a society which gave him no security.

"What security do you want?" answered General Bernadotte. Madame Buonaparte, fearing that the conversation would become too warm, changed the subject, addressing herself to M. R——, who was known to her. General Bernadotte did not persist in his questions, and, after some general conversation, he withdrew.

A few days afterwards, Joseph had a large party at Morfontaine. Buonaparte, meeting General Bernadotte coming out of the *Théâtre Française*, enquired if he was to be of the party on the following day. Being answered in the affirmative—"Will you," said he, "give me my coffee to-morrow morning? I have occasion to pass near your house, and shall be very glad to stop with you for a few moments." Next morning, Buonaparte and his wife arrived; Louis followed them a moment afterwards. Buonaparte made himself very agreeable.[1] In the evening there was some conversation between Regnault de St Jean d'Angely, Joseph, and Lucien. Buonaparte conversed with Bernadotte, who saw, from his embarrassed air, and frequent fits of absence, that his mind was deeply occupied. He had no longer any doubt that it was Buonaparte's determined purpose to save himself, by the overthrow of the constitution, from the danger with which he was threatened in consequence of his leaving Egypt, abandoning his army, and violating the quarantine laws. He resolved to oppose it by every means in his power. On his return to Paris, he happened, accidentally, to be in a house belonging to a fellow-countryman and friend of Moreau's. That general having enquired if he had been at the party at Morfontaine, and if he had

[1] It was by no means from friendship that Buonaparte went to Bernadotte's on this occasion; but really to render the Directory and the friends of the Republic suspicious as to that general's intentions.

spoken with Buonaparte, and Bernadotte having told him he had, Moreau said, "That is the man who has done the greatest harm to the Republic."—"And," added Bernadotte, "who is preparing the greatest."—"We shall prevent him," replied Moreau. The two generals shook hands, and promised to stand by each other in resisting the deserter from Egypt. So they called him in presence of a number of persons, among whom was the ex-minister, Petiet.

The Directory, it is true, did not enjoy the public esteem. Siêyes stood first in reputation among the five members, but he was looked upon as being timid and vindictive. He was believed to be disposed to call the Duke of Brunswick to the throne of France. Barras was suspected by some persons of being in treaty with the Comte Lille. Gohier, Moulins, and Roger Ducos, were very respectable men, but considered to be unfit for the government of a great nation. Gohier, however, was known to be one of the first lawyers of that period, to be of incorruptible integrity, and an ardent lover of his country.

When Siêyes obtained a place in the Directory, he had desired to have General Bernadotte for war-minister. Some confidential relations between them, and a certain degree of deference which Bernadotte paid to Siêyes, in consequence of his great celebrity, had flattered his self-love. Buonaparte's two brothers, Joseph and Lucien, thinking they should find in Bernadotte a ready instrument for the execution of the plans of their brother, whom they believed to be on the point of landing in France, agreed with Siêyes in bringing Bernadotte into the ministry. Gohier, Moulins, and Roger Ducos joined the Buonapartes and Siêyes; Barras alone inclined towards Dubois-Crancé; but he yielded with a good grace to the opinion of his colleagues.

The proposal was made to Bernadotte at a dinner at Joseph's, in the *rue du Rocher*. Joubert, one of the party, who had recently formed an intimacy with the candidate for the place of minister, was chosen by the Buonapartes to propose it to him. The proposal was refused, and the remonstrances of Joubert had no effect on the resolution of Bernadotte, which at that time appeared immovable. The Buonapartes, who were the prime movers of all the changes which took place, and enjoyed the distribution of all the great posts, were astonished when they heard General Joubert's report. They got several members of the council to endeavour to induce Bernadotte to accept. Their attempts were vain. Every solicitation was followed by a most obstinate refusal. But what could not be done by Bernadotte's

friends and partisans, duped by the apparent friendship of the Buonapartes for him, was accomplished by his wife and sister-in-law. After many days spent in entreaties, Bernadotte yielded, and received the *porte-feuille* from the hands of General Millet-Moreau, who then had the charge of that department. The Buonapartes were not slow in showing a desire to exercise a direct influence in the war department. Many of their creatures were raised, by the new minister, to higher situations; but the number of fresh applications continually made to him, convinced him that they considered him as holding his place merely to serve their purposes, and prepare the way for their elevation.

The minister, who went regularly at five o'clock in the morning to the office of the war-department, where he had to repair heavy disasters, recruit the army, put a stop to dilapidations, organize two hundred battalions of a thousand men each, bring back to their corps 80,000 men, who had, in the course of a few years, absented themselves without permission, and accomplish an extraordinary levy of 40,000 horse, did not return to his house, in the *rue Cisalpine*, till between five and six in the evening. Joseph and his wife were almost always there. Joseph sometimes turned the conversation on the incapacity of the Directory, the difficulty of things remaining as they were, and the necessity of new-modelling the administration.

Bernadotte, on the contrary, thought that if the five directors were reduced to three, one of whom should go out of office every three years, the constitution would go on very well. He found in that form of government the creation of a patrician order exclusively charged with the government of the state. The Roman republic was his model, and he saw in the constitution of the year four a great analogy to the consular privileges and the rights of senators. By the 135th article of that constitution, no one could aspire to become a Director, without having been first a member of one of the two councils, a minister of state, &c. As that condition was already fulfilled in his case, it was natural that he should incline towards the preservation of a form of government which placed him on an equality with kings, and gave him the hopes of seeing many kings tributary to, or at least protected by, the Republic. These discussions sometimes became rather unreserved; and it was at such a time that Joseph intimated to Bernadotte, in a sort of half-confidence, the possibility of his brother's speedy return. The minister had sufficient presence of mind to conceal his indignation; but his surprise was so visible that Joseph was alarmed by it. He endeavoured to diminish the

impression which his communication had produced. He said, "That what he had advanced was merely a simple conjecture on his part, which might become a probability—perhaps, even (added he) a reality; for he has conquered Egypt—his business is at an end—he has nothing more to do in that quarter."—"Conquered!" replied Bernadotte—"Say rather, *invaded*. This conquest, if you will call it so, is far from being secure. It has given new life to the coalition, which was extinct; it has given us all Europe for our enemies; and rendered the very existence of the Republic doubtful. Besides, your brother has no authority to quit the army. He knows the military laws, and I do not think that he would be inclined, or would dare, to render himself liable to punishment under them. Such a desertion would be too serious a matter; and he is too well aware of its consequences." Joseph went away a few moments afterwards; and this conversation having proved to him that Bernadotte did not concur in his opinions, it became an object to produce a breach between him (Bernadotte) and Siêyes.

Bernadotte retired from the ministry, and Buonaparte arrived about three weeks afterwards. Not being able to doubt that the Directors themselves were either dupes of Buonaparte's ambition, or his accomplices, and that they were meditating with him the overthrow of the established order of things, General Bernadotte persevered in offering his counsels and services to those members of the government, or of the Legislative Body, who might have opposed those designs. But the factious and the intriguing went on at a more rapid pace; and every day Buonaparte increased his party by the accession of some distinguished personage.

On the 16th Brumaire, at five o'clock, Bernadotte went to General Buonaparte's, where he was invited to dinner. General Jourdan was of the party. He arrived after they had sat down to table. The conversation was entirely on military subjects; and Bernadotte undertook to refute the maxims which Buonaparte was laying down relative to the system of war by invasion. Bernadotte concluded nearly in these words:—"There is more trouble in preserving than in invading;" alluding to the conquest of Egypt. The company rose and went to the drawingroom. Immediately afterwards there arrived several very distinguished members of the council, and a good many men of letters; Volney and Talleyrand were of the number. The conversation was general, and turned on the affairs of the west of France. Buonaparte, raising his voice a little, and addressing somebody near

him, said—" Ah! you see a Chouan in General Bernadotte." The general, in answering him, could not refrain from smiling. " Don't contradict yourself," said he; " it was but the other day that you complained of my favouring the inconvenient enthusiasm of the friends of the Republic, and now you tell me that I protect the Chouans. This is very inconsistent." The company continued to increase every minute; and, the apartments not being very spacious, Bernadotte went away.

Many persons have thought that the answers given by Bernadotte to Buonaparte on this occasion, had retarded for twenty-four hours the movement which had been prepared. Others, on the contrary, have alleged that, the 17th being a Friday, Buonaparte, naturally superstitious, had deferred the execution of the project till the 18th.

On the 17th Brumaire, between eleven and twelve at night, Joseph Buonaparte, returning to his house in the *rue du Rocher* by the way of the *rue Cisalpine*, called at the house of Bernadotte. He, being in bed, sent to request Joseph to return next day. He did so before seven o'clock in the morning of the 18th. He told Bernadotte that his brother desired to speak with him; that the measures to be taken had been discussed the evening before, and that they wished to inform him of them. They both went immediately to Buonaparte's house in the *rue de la Victoire*. The court, the vestibule, and the apartments, were filled with generals and officers of rank. Many of the officers had the air of persons in a state of excitation from wine. Bernadotte was shown into a small room; Joseph did not go in. Buonaparte was sitting at breakfast with one of his aides-de-camp, who, as far as can be remembered, was Lemmarois. General Lefebvre, afterwards Duke of Dantzic, then commanding the 17th military division, of which Paris was the headquarters, was standing. Bernadotte, seeing him in that attitude, did not doubt that he was detained a prisoner. He immediately took a chair, sat down, and made a sign to Lefebvre to do the same. Lefebvre hesitated, but a glance from Buonaparte reassured him. He sat down respectfully, looking at Buonaparte. The latter addressing himself to Bernadotte, said, with embarrassment,—" Why, you are not in uniform!" On Bernadotte answering—" I am not on duty," Buonaparte replied—" You shall be immediately."—" I do not think so," said Bernadotte. Buonaparte rose, took Bernadotte by the hand, and carried him into an adjoining room. " This Directory governs ill," said he; " it would destroy the Republic if we did not take care. The Council of Ancients has named me

commandant of Paris, of the national guard, and of all the troops in the division. Go and put on your uniform, and join me at the Tuileries, where I am now going."

Bernadotte having declined doing this, Buonaparte said,—"I see you think you can count upon Moreau, Bournonville, and other generals. You will see them all come to me,—Moreau himself;" and, speaking very fast, he named about thirty members of the Council of Ancients, whom Bernadotte had believed to be the greatest friends of the constitution of the year IV. "You don't know mankind," added he; "they promise much, and perform little."

Bernadotte having declared that he did not choose to be involved in a rebellion of this kind, nor to overturn a constitution which had cost the lives of a million of men,—"Well," said Buonaparte. "you will stay till I receive the decree of the Council of Ancients; for till then I am nothing." Bernadotte, raising his voice, said—"I am a man whom you may put to death, but whom you shall not detain against his will."—"Well, then!" said Buonaparte, softening his voice, "give me your word that you will do nothing against me."—"Yes, as a citizen; but if I am called upon by the Directory, or if the Legislative Body gives me the command of its guard, I shall oppose you, and you shall not have the upper hand."—"What do you mean by *as a citizen?*"—"I will not go to the barracks, nor places of public resort, to inflame the minds of the soldiers and the people."

"I am quite easy," answered Buonaparte; "I have taken my measures; you will receive no appointment; they are more afraid of your ambition than of mine. I wish merely to save the Republic; I want nothing for myself; I shall retire to Malmaison, after having brought about me a circle of friends. If you wish to be of the number, you shall be made very welcome." Bernadotte said in reply, as he was going away—"As to your being a good friend, that may be; but I am convinced that you will always be the worst of masters."

Bernadotte left the room; Buonaparte followed him into the lobby, and said to Joseph with an agitated voice,—"Follow him." Bernadotte passed through a crowd of generals, officers of rank, and soldiers, who filled the court of the house, and a part of the street, making some impression upon them by his looks, which expressed his disapprobation of their conduct. Joseph followed Bernadotte, and came up to him in the court of the house. He asked him to go to his house, in the *rue du Rocher* where he

had assembled several members of the Legislative Body. When he arrived at Joseph's he found a dozen of persons, among whom were several deputies devoted to Buonaparte, and particularly Salicetti. Breakfast was served. During the few moments they remained at table, they spoke of the resolutions which would be taken, and Joseph repeated that his brother wished for nothing but the consolidation of freedom, that he might then have it in his power to live like a philosopher at Malmaison.

Bernadotte went to the garden of the Tuileries, and passed along the front of the 79th demi-brigade. The officers having recognised him, though not in uniform, came up to him, and asked him for information as to what was going to happen. Bernadotte answered in general terms, expressing his wish that the public tranquillity might not be endangered by the movement about to take place. The soldiers, having in their turn recognised the general, who had commanded them at the siege and taking of Maestricht, loudly expressed their astonishment at his not being along with the generals, who, said they, were then deciding, in the palace, the fate of France.

Bernadotte having observed what he might expect, in case of need, from this corps, and from some detachments before whom he had presented himself on the *Boulevard* and on the *Pont de la Révolution*, went to General Jourdan's, presuming that the Directory would send for him to take care of the safety of the government. He found at Jourdan's a good many members of the Council of Five Hundred, among others Augereau, afterwards Duke of Castiglione. He had scarcely arrived, when a great number of the members came to announce the communication of the decree of the Council of Ancients, which, in virtue of the 102d article of the Constitution, transferred the sitting of the Legislative Body to St Cloud.

Bernadotte, on his return home, learned from his wife that the Adjutant-General Rapatel, attached to General Moreau's staff, had just been there, and that he had been sent by Buonaparte and Moreau, to persuade him to join them at the Tuileries. Buonaparte had said to him—"You have served under General Bernadotte. I know that he has confidence in you. Tell him that all his friends are assembled at the Tuileries, and that they are desirous of seeing him among them; add that they love their country as much as he, and that they strongly wish to see him appear among the number of those to whom she this day owes her safety."

Siêyes and Roger Ducos had already joined Buonaparte at the Tuileries. The three Directors, Gohier the President, Moulins and Barras, remained at the Luxembourg. The secretary-general, Lagarde, was still faithful to the majority of the Directory. As General Bernadotte had foreseen, that majority cast their eyes on him for the ministry of war, and the general command of the troops, and of the national guards of the 17th division. The resignation of Barras, and the defection of the secretary-general, put a stop to this nomination. Buonaparte, having no longer any thing to fear, made a new division of the different commands, and assigned to Moreau, with an hundred horse, that of the Luxembourg, where Gohier and Moulins were detained.

Moreau, dissatisfied with the indifference with which he had been treated by Buonaparte, and acquainted with his intentions and projects, was already thinking of forsaking his cause, which he regarded as unjust and traitorous to the nation. He again desired Rapatel to go, towards evening, to Bernadotte's, to invite him, on the part of Moreau, to go to the Luxembourg, that they might consult together as to the measures to be taken for preventing Buonaparte from seizing the Dictatorship. Bernadotte's answer to these overtures was, that he was bound by the word of honour which he had given, not to undertake any thing as a citizen; but that he was free to act if called on or summoned to do so by a public man; that if Moreau would march out of the Luxembourg, at the head of the detachment which he commanded, present himself at his door, and summon him, in the name of the public good, to make common cause with him in the defence of liberty and of the constitution which had been sworn to, he, Bernadotte, would mount his horse with his aides-de-camp, put himself under Moreau's command, address the troops, and cause Buonaparte to be immediately arrested and tried as a deserter from the army of Egypt, and as having violated the constitution, by accepting a command given him by a mere fraction of the Legislative Body. Moreau, bound down by the duty of military discipline, according to which he was under the orders of General Buonaparte, did not agree to Bernadotte's proposal; and the latter, therefore, did not think himself at liberty to go to the Luxembourg.

Bernadotte, from seven o'clock till ten, had conferences with Salicetti, Augereau, Jourdan, Gareau, and a dozen of the most influential members of the Council of Five Hundred. It was decided, that, next morning, Bernadotte should be named com-

mandant of the guard of the Legislative Body, and of all the troops in the capital, and they separated. Salicetti ran to the Tuileries to tell Buonaparte what had happened, and he, who dreaded so courageous an adversary as Bernadotte, charged Salicetti to be present next morning at five o'clock, at the preparatory meeting which was to take place before going to St Cloud, and to tell every one of the deputies, that he, Buonaparte, had made the greatest efforts to prevent a decree of deportation being issued against the deputies who had formed the design of giving to Bernadotte the command of the armed force.

On the 19th, at seven o'clock in the morning, Generals Jourdan and Augereau, followed by eight or ten deputies of the Council of Five Hundred, (among whom were Gareau and Talot,) went to General Bernadotte's in the *rue Cisalpine*. They informed him that Salicetti had made them aware, on the part of Buonaparte, that Siêyes had proposed to arrest a number of the deputies of the two Councils, in order to prevent their appearing at St Cloud. They asked Bernadotte what he thought of the events of the day. He saw nothing in the communication of Salicetti, but the desire of rendering these deputies favourable to Buonaparte. Some of these legislators seemed to feel grateful for the service which Buonaparte had done them the evening before. Bernadotte did not appreciate this act of generosity as they did; but he agreed in their opinion as to the conciliatory measures which they seemed to wish to adopt, and, entering into their views, he explained himself in these terms:—"Let one of you mount the tribune; let him describe succinctly the internal situation of France, and her successes abroad; let him say, that the departure of an army for Egypt, while it has involved us in war, has deprived us of an army of more than 30,000 veterans and a great many experienced generals; that, nevertheless, the Republic is triumphant; that the coalition is broken up, since Suwarrow is returned to Russia; that the English, with a prince of the blood at their head, have left the Batavian republic and retired to England; that the line of defence is maintained between the Alps and the Ligurian Apennines; that 200,000 conscripts are hastening to arrange themselves into battalions to reinforce the armies, and 40,000 cavalry are raising; that the insurrection of the west is reduced to a few scattered bands, and that a royalist army in the Upper Garonne has been destroyed or dispersed; that, to obtain a peace quite as honourable as that of Campo Formio, it is only necessary for France to maintain this formidable attitude; that, in order to maintain it, union and mutual confidence are

indispensable; that, although the Council of Ancients have violated the constitution, in naming Buonaparte General-in-chief of the 17th division, and in giving him the command of the National Guard, and the Guard of the Directory, the Council of Five Hundred is not now engaged in deliberating on this violation of the constitution, but rather on the means of giving security to the French people, the two Councils, and the government of the state; that, for this purpose, the Council of Five Hundred names General Bernadotte colleague to General Buonaparte; that these two generals shall understand each other in regard to the employment of the armed force, and the distribution of commands, in case of this force being employed; but that the tranquillity which prevails in Paris and the vicinity, renders it certain that there will be no occasion for this force being put in motion. Send me this decree; in twenty minutes after receiving it I shall be in the midst of you with my aides-de-camp; I shall take the command of the corps that I shall find on my way, and we shall see what is to be done. If it is necessary to declare Buonaparte an outlaw, you will always have on your side a general, and a great proportion at least of the troops."

The deputies immediately set off for St Cloud. The unhappy custom of delivering set speeches from the tribune, produced the loss of precious time. The debate became warm; and the taking individually the oath to the constitution caused a useless loss of more than an hour and a half. No other resolution was taken. Buonaparte made his appearance, and the events which then happened at St Cloud are well known.

After having been repulsed from the Council of Five Hundred, Buonaparte, stammering with agitation, addressed the soldiers. "Are you for me?"—"We are for the Republic," said they—(It was at this time that Lucien, President of the Council, harangued the troops.) What would have become of him had Bernadotte been there? Buonaparte felt this himself; for he said, at this period,—"I am not afraid of Bernadotte's consenting to my being assassinated; but he will harangue the troops, and that is what I have to fear."

Buonaparte was made aware, the same evening, of the language which Bernadotte had used to the deputies at his house in the *rue Cisalpine*. The expressions he had really made use of, though they must have been disagreeable enough to Buonaparte, particularly in so far as related to his escape from Egypt, and his ulterior designs against the liberty of France, were exag-

gerated, and represented to Buonaparte so as to indicate personal hatred.

Buonaparte, though he never found an opportunity of taking open revenge against Bernadotte, let slip no opportunity of injuring him, by placing him, as a general, in difficult situations, and leaving him, in the most perilous and delicate circumstances, without instructions or orders. The following occurrence, which took place soon afterwards, will give a correct idea of this conduct on the part of Buonaparte.

The measures for restoring tranquillity in the west of France, in the month of January 1800, had never been entirely completed; for, at the same moment that they were taken, several departments were put out of the pale of the constitution. The Chouans of these departments were organized as militia, and as guerillas, who plundered the diligences, and murdered the persons who became proprietors of the national domains. They were regularly paid, and had communications with the enemies of the Republic, by means of the English fleets which threatened the coasts. At this critical moment, Bernadotte was invested with the civil and military command of these departments. By his firm and prudent conduct, he repressed the seditious movements, and re-established good order and obedience to the laws. Many free corps, numbers of individuals belonging to which, for want of being properly employed, were in the pay of the Chouan chiefs, were organized as regular troops; and by this measure he furnished government with the means of drawing from these departments, troops for the army of Italy. But when these troops were to begin their march to Dijon, a serious insurrection broke out at Vannes, on the 28th Fructidor, year VIII, (4th September 1800.) The 52d demi-brigade refused to march till they should receive their arrears of pay. The commandant and officers who wished to restore order among them were maltreated. Bernadotte being informed of this transaction, hastened to Vannes to quell the insurrection; but the corps had left the place. He gave orders to General Liebert, commanding the 22d military division, to assemble the 52d demi-brigade on its way to Tours; to come before it, followed by his staff and the council of war; to make the military penal code be read; to order the colonels to point out one or two men in each company, who had made themselves most remarkable in the revolt of the 28th; to deliver these men to the council of war, and to have them tried on the spot, &c. &c.

Bernadotte's orders were executed on the 4th Vendemaire, (25th September,) when the 52d demi-brigade was drawn up on the parade at Tours, and the ringleaders of the revolt arrested in presence of a great number of spectators, without the smallest disturbance taking place.

Bernadotte made a report of this event to the First Consul, and to Carnot, the minister of war; but as the result of the measures he had taken was not yet known, the Consul put on the margin of the report:—"General Bernadotte has not done well in taking such severe measures against the 52d demi-brigade, not having sufficient means to bring them to order in the heart of a town where the garrison is not strong enough to repress mutiny."

The result was different. The soldiers returned to their duty, and themselves denounced the authors of the insurrection. The demi-brigade continued its route to Italy; and two days afterwards the Consul was profuse in his encomiums on the prudence, foresight, and firmness of the general whose conduct he had been so hasty in disapproving.—The letter which he wrote to Bernadotte on this subject, was in these terms:—

"Paris, 10th Vendemaire, year IX.

"I have read with interest, Citizen-general, the account of what you have done to restore order in the 52d, and also the report of General Liebert of the 5th Vendemaire. Give this officer the assurance of the satisfaction of government with his conduct. Your promotion of the colonel of brigade to the rank of general of brigade, is confirmed. I desire that this brave officer may come to Paris. He has given an example of firmness and energy most honourable to a military man.

"I salute you,

"BUONAPARTE."

All men, doubtless, are liable to err; but the eagerness of the Consul to attach blame to the conduct of a military and political commander, charged with the maintenance of discipline and obedience to the laws, appears evidently to have proceeded more from private hatred than from any duty which the government had to perform; for there was no occasion to give his judgment so precipitately, and he might have waited the final result of the measures he censured, more especially as the scene had taken

place in a district agitated by faction and civil war. Bernadotte's friends, who were still in the ministry of war, and even frequented the saloons of the Consul, were anxious to make him acquainted with Buonaparte's evil intentions towards him. Every despatch which he received informed him that the police were forming secret intrigues and conspiracies; that agents were scattered among the army of the West and the army of the Rhine, to endeavour to make the staffs of those armies commit themselves, in order to have a pretext for disgracing the generals who commanded them. Reports were circulated among the members of these staffs; one day the Consul was dying; next day the population of Paris had risen, and the constitution of the year IV. was re-established with the necessary modifications. The persons employed in raising these reports, watched the looks of the generals, and reported their slightest expressions. These snares roused the indignation of General Bernadotte, and the army he commanded; and it is not going too far to say, that it was in the army of the West and the army of the Rhine, that plans for the preservation and security of constitutional freedom originated. Men, who were obliged by profession and duty, to yield to the force of military discipline, and who neither had, nor wished to have any thing to do with the intricacies of civil policy, were all at once inspired with a new spirit, and tacitly formed an association guided by their opinions; so much so, that, during the course of the year 1801, the Consul perceived, from the reserve and behaviour of many of the generals towards him, that a change had taken place in the confidence entertained as to his intentions on the subject of public liberty and individual security.

This reserve, the cause of which he penetrated, determined him to make a set of new creatures, and bring around him men from whom he was sure, as he said, to meet with no contradiction. His having laid down this principle of action, and his well-known system of degrading every thing, were the cause of the entry of foreign armies into France, and the fall of his dynasty.

No. II.

INSTRUCTIONS BY NAPOLEON TO TALLEYRAND, PRINCE OF BENEVENTUM.

[See p. 260.]

THIS very singular memorandum contains the instructions given by Napoleon to Talleyrand, concerning the manner in which he wished him to receive Lord Whitworth, then about to quit Paris, under the immediate prospect of the war again breaking out. He did not trust, it seems, to that accomplished statesman the slightest circumstance of the conference; "although," as Talleyrand himself observed, as he gave to the Duke of Wellington the interesting document, in Napoleon's own handwriting, "if I could be trusted with any thing, it must have been the mode of receiving and negotiating with an ambassador." From the style of the note, it seems that the warmth, or rather violence, which the First Consul had thrown into the discussion at the levée, did not actually flow from Napoleon's irritated feelings, but was a calculated burst of passion, designed to confound and overwhelm the English nobleman, who proved by no means the kind of person to be shaken with the utmost vehemence. It may be also remarked, that Napoleon, while he was desirous to try the effect of a cold, stern, and indifferent mode of conduct towards the English minister, was yet desirous, if that should not shake Lord Whitworth's firmness, that Talleyrand, by reference to the First Consul, should take care to keep open the door for reconciliation.

The various errors in orthography, as *fait* for *fais* or *faites*, *dit* for *dis* or *dites*, are taken from the original.

"*St Cloud, à* 4½.

"Je reçois votre lettre qui m'a été remise à la Malmaison. Je desire que la conference ne se tourne pas en partage. Montez-vous y froid, altier, et même un peu fier.

"Si la notte comtient le mot *ultimatum*, fait[1] lui sentir que ce mot renferme celui de guerre, que cette manière de negocier

[1] Fais.

et d'un supérieur à un inférieur. Si la notte ne comtient pas ce mot, fait[1] qu'il le mette, en lui observant qu'il faut enfin savoir à quoi nous en tenir—que nous sommes las de cet état d'anxiété—que jamais on n'obtiendra de nous ce que l'on *a obtenu des dernières années des Bourbons,—que nous ne sommes plus ce peuple qui recevra un Commissaire à Dunquerque;* que, l'ultimatum remis, tout deviendra rompût.

" Effrayez le sur les suites de cette remise. S'il est *inebranlable*, accompagnez le dans votre salon . . . . . [2] de vous quitter dit lui, mais le Cap et l'Isle de Gorée, sont ils évacués? —radoucissez un peu la fin de la conference, et invitez le à revenir avant d'écrire à sa cour, enfin que vous puissiez lui dire l'impression qu'elle a fait sur moi, qu'elle pourrait être diminué par les mesures de ces evacuations du Cap et de l'Isle de Gorée."

TRANSLATION.

St Cloud, half-past four.

I received your letter, which was brought to me at Malmaison. I request that the conference do not go into dialogue. Show yourself cold, lofty, even a little haughty.

If his note contains the word *ultimatum*, make him sensible that that word imports war, since such a manner of negotiating only takes place hetwixt a superior and an inferior. If the note does not contain that word, contrive to make him insert it, by observing to him that it is necessary at length we should know upon what footing we are to stand with respect to each other; that we are weary of this state of anxiety; that they will never obtain from us those advantages which they extorted during the latter part of the reign of the Bourbons; that we are no longer the same people who received at Dunkirk; that the *ultimatum* being rejected, all treaty will be broken off.

Alarm him upon the consequences of that rejection. If he remains still immovable, accompany him into your saloon . . . . . and at the moment of his departure, ask him incidentally, " By the way, the Cape and the Island of Goree, are they evacuated?" Soften your tone a little towards the end of the conference, and invite him to return before writing to his court. At last, you may hint that the unfavourable impression he has made

[1] Fais. [2] Illegible.

on me may possibly be diminished by the evacuation of the Cape and the Isle of Goree.

No. III.

FURTHER PARTICULARS CONCERNING THE ARREST, TRIAL, AND DEATH OF THE DUKE D'ENGHIEN.

[See p. 331.]

THIS most melancholy history appears to deserve farther notice than we had it in our power to bestow, without too long interrupting the course of our narrative. It has been, and must for ever remain, the most marked and indelible blot upon the character of Napoleon Buonaparte. "A young prince," says the author of a well-reasoned dissertation on this subject, "in the flower of his age, treacherously seized in a neutral country, where he reposed under the protection of the law of nations, dragged into France, brought before judges, who had no pretension to assume that character, accused of supposed crimes, deprived of the assistance of a legal advocate or defender, put to death by night in the ditches of a state-prison;—so many virtues misconstrued, so many fond hopes crushed in the bud, will always render that catastrophe one of the most revolting acts which absolute power has been tempted to consummate."

The Duke d'Enghien was one of the most active and determined of the exiled princes of the House of Bourbon, to whom the emigrants and the Royalists who remained within France were alike devotedly attached. He was master of many of their secrets; and in July 1799, when the affairs of the Republic were in a very perilous state, and the Royalists were adjusting a general rising through all the South of France, his name was used upon the following extraordinary occasion.

A former member of the Representation, known as much by his character as a Royalist, as by his worth and probity, requested a private interview with General Bernadotte, then minister at war. The audience being granted by the minister, with whom he had some connexion, the representative entered into a long argument to prove what could not be denied—the disastrous and dangerous state of France, and then proceeded thus: "The republican system being no longer able to support itself, a general

movement is about to take place for the restoration of the King, and is so well organized, that it can scarce fail to be successful. The Duke d'Enghien, lieutenant-general of the royal army, is at Paris at this very moment while I speak to you, and I am deputed by one of his most faithful adherents, to make known these circumstances to General Bernadotte. The prince esteems you, confides his safety to your loyalty, reckons on your assistance, and is ready to grant any conditions which you may attach to your services." Bernadotte replied to this unexpected communication, "That the Duke d'Enghien should have no reason to repent the confidence which he had reposed in him: but that the loyalty which the duke had ascribed to him prevented his complying with the prince's wishes and request." He proceeded to state, that his own fame and personal interests were alike interested in his adherence to a government sprung from the will of the people; and that he was incapable of violating his oath of fidelity, or overthrowing the constitution to which he had sworn. "Make haste," he continued, "to convey my sentiments to him who sent you; tell him they are sincere and unalterable. But let him know, that for three days I will keep the secret which I have just learned, most profoundly. During that time he must find means of placing himself in security, by repassing the frontiers: but on the fourth morning, the secret will be mine no longer. This very morning, the term of three days will commence; make haste—and remember that the least imprudence on your part will be attended with fatal consequences."

It was afterwards ascertained that the deputy was mistaken, when he averred that the Duke d'Enghien was in Paris. It was pretty certain that he had never crossed the Rhine, and only waited the favourable reply of the minister at war to make the attempt. But in the light in which the case was presented to Bernadotte, his generous and firm conduct does not the less honour that eminent person, especially when contrasted with that of Napoleon. There might have been a strong temptation, and even a show of right, to have seized on the unfortunate Prince, supposing him to be in Paris, negotiating plans against the existing government, and tempting the fidelity of their principal ministers;—there could be none to kidnap him in foreign parts, when, however it might be suspected, it could not be shown by proof, that the unfortunate duke was concerned in any of the political intrigues which were laid to his charge. The tottering state of public affairs requiring so much vigilance and vigour on the part of the government, might also have been pleaded in excuse of

Bernadotte, had he delivered up the Duke d'Enghien to dungeon or scaffold; while Napoleon, on the contrary, took the unhappy prince's life at a moment when his own power was so firmly established, as rather to incur danger than to acquire safety by the indulgence of a cruel revenge. The above anecdote, not, we believe, generally known, may be relied upon as authentic.

Napoleon, four years later, adopted towards the unfortunate prince that line of severity with which the world is acquainted. His broad vindication uniformly was stated to be, that the duke had offended against the laws of the country, and that, to put a stop to conspiracies, he had, from the beginning, determined to let the law take its course against him. He alleged, as we shall hereafter notice, various pleas in palliation or excuse; but his chief defence uniformly consisted in an appeal to the laws; and it is therefore just to the memory of Napoleon and his victim, that we should examine whether, in a legal sense, the procedure against the Duke d'Enghien is vindicated in whole or in part. The labours of Monsieur Dupin, the learned author of a pamphlet already quoted, have furnished us with an excellent work on this subject.

The case of the unfortunate duke must always be admitted to be a hard one. This is not denied by Buonaparte himself; and, on that account, it is the more necessary to the vindication of those upon whom his fate depended, to bring their procedure within the pale of the law. We are not now talking of reconciling the tragedy to the general rules of justice, generosity, or humanity; but in resigning the arguments which these afford, we are the more entitled to expect that the procedure which we impugn should, however harsh or cruel, be at least in strict conformity with the existing laws of France at the time, and such as could be carried on and vindicated by daylight, and in an open court. This is surely limiting our enquiry to the narrowest possible ground; and we shall prosecute the subject by examining the process in detail.

ARREST OF THE DUKE D'ENGHIEN.

Every arrest, to be legal, must be so in three points of view: 1. As to the place where it is made; 2. concerning the person whom it regards; 3. in respect of the grounds on which it proceeds.

The duke was residing in the territories of the Elector of Baden, a sovereign prince who had not ventured to afford him

that refuge without consulting the French governor on the subject, and who was authorized to believe that his affording hospitality to the unfortunate prince would afford no cause of rupture with his powerful neighbour. The acquiescence of the French government affords too much reason to suppose, that the measure afterwards adopted had been for some time premeditated; and that there was a secret design of detaining the victim within reach of the blow which they had already resolved to strike, when they should see convenient. Whether this was the case or no, the Duke d'Enghien was residing under protection of the law of nations, which proclaims the inviolability of the territories of one state by the soldiers of another, unless in case of war openly declared. It would be wasting arguments to show that the irruption of the French troops into the territory of Baden, and the seizure of the prince and his retinue, were directly contrary to public law, and could only be compared to an incursion of Algerines or robbers. Thus the place of arrest was highly and evidently illegal.

The charge on which the arrest was granted did not improve its legality. The only laws which could be referred to as applicable to the occasion, are those of 28th March, 1793, and of 25 Brumaire, An III. tit. 5, sect. i. art. 7. By these, it is provided that *emigrants*, who have carried arms against France, shall be arrested, *whether in France, or in any hostile or conquered country*, and judged within twenty-four hours, by a commission of five members, to be named by the chief of the état major of the division of the army quartered in the district where they are found. A third law extended this order to all emigrants of every description, *arrested within the territory of the Republic;* but provided that the court should consist of seven persons, instead of five, to be named by the general commanding the division in which the arrest was made. These ferocious laws had in practice been so far modified, that it was laid down in the law books, that although, speaking strictly, they continued to exist, yet "the government always limited to deportation the sentence of such emigrants as were arrested within the French territory."[1] Before reviving them in their utmost severity against a single individual, it was therefore doubly incumbent to show that the party arraigned fell within these charges.

By no force of construction could the Duke d'Enghien be brought under the influence of these laws. He was not, pro-

[1] *Nouveau Repertoire de Jurisprudence, au mot* COMMISSION.

perly speaking, an emigrant, nor did he possess the qualities of such. He was a Prince of France,—as such declared an alien, and banished for ever from France. But, what is much more to the purpose, the Duke d'Enghien was neither found within France, nor in the precincts of any hostile or conquered country; but brought by force from a territory neutral to, and friendly in its relations with, France; and that without legal warrant, and by main force. Buonaparte took credit to himself for having prevented the execution of these laws against emigrants who had been forced on the shore of France by tempest, and had thereby come under the letter, though not the spirit, of the law. How much more ought the Duke d'Enghien's case to have been excepted, who was only within France by the force exercised on his person, and, instead of being arrested within the territory, as the law required, was arrested in a neutral country, and brought into France against his will? The arrest was therefore, so far as respected the person on whom it was used, an act of illegal violence; and not less so considering the grounds on which it proceeded, since there was no charge founded on any existing law.

INCOMPETENCY OF THE COURT.

A military commission was assembled at Paris, to take under trial the Duke D'Enghien, accused of having borne arms against the Republic—of having been, and of still being in the pay of England—and, lastly, of having taken part in the conspiracies against the safety of the Republic, both external and internal.

Mons. Dupin, by the most decisive arguments and authorities, shows, that although the military commission might possibly be competent judges in the case of bearing arms against France, or receiving pay from England, yet the trial of a criminal accused of political conspiracy, was totally beyond the power of a court-martial, and could only be taken cognizance of by the regular tribunals. He quotes decisions of the minister of justice upon this point of jurisprudence, and concludes by applying to the military commission the well-known brocard of law, *Nullus major defectus, quam potestatis.*

IRREGULARITIES IN THE PROCEDURE.

I. The procedure took place at the dead of night, contrary to the laws of France and every civilized country. The worn-out and exhausted criminal was roused at midnight from the first

sleep he had been permitted to enjoy for three nights, and called in to place himself on defence for his life, whilst, through fatigue of body and mind, he could scarcely keep himself awake.

He answered to their interrogatories in a manly and simple manner; and by the French order of process, his answers ought to have been read over to him, and he should have been called upon for his remarks upon the exactitude with which they had been taken down; but nothing of this kind was proposed to the Duke d'Enghien.

II. The French law enjoins, that after closing the interrogatory, the reporter should require of the accused person to make choice of a friend for the purpose of conducting his defence. The accused, it further declares, shall have the selection amongst all the persons present, and failing his making such a choice, the reporter shall select a defender to act on his behalf. No such choice was allowed to the Duke d'Enghien; and, indeed, it would have been to little purpose; nor was any legal assistant assigned to him in terms of the law. The law presumes an open court at a legal hour, and held in broad daylight. It would have been but an additional insult to have required the duke to select a friend or a defender among the gendarmes, who alone were bystanders in the castle of Vincennes, or at the hour of midnight. Contrary, therefore, to the privilege of accused persons by the existing law of France, the accused had no benefit either of legal defence or friendly assistance.

DEFECTS OF THE SENTENCE.

The trial itself, though it deserves not the name, took place on the day after the interrogatory, or more properly on the night of that day, being what was then called the 30th Ventose;—like the previous interrogation, at the hour of midnight. The whole castle of Vincennes was filled with gendarmes, and Savary was in the actual command. He has published that he was led there by curiosity, though the hour was midnight, and the place so strictly guarded against every person, saving those who were to be officially concerned, that even one of the officers, who had been summoned, had considerable difficulty in procuring admission. We shall presently see if his presence and conduct indicated the part of a mere bystander; for the vindication which he was pleased to publish, drew forth that of General Hullin, president of the military commission, who has informed us of several important circumstances which had escaped the memory of

the Duke of Rovigo, but which bear, nevertheless, very much on the point at issue.

The court being constituted duly, the warrant was read, which contained the charge against the prisoner. It accused him, 1. Of having fought against France; 2. Of being in the pay of England; 3. Of plotting with the latter power against the internal and external safety of the Republic. Of the *two first* counts, as they may be termed, of the indictment, we have already shown that they could not be rendered cognizable under any law then existing in France, unless qualified by the additional circumstance, that the emigrant accused had been found either within France, or in a country hostile to, or which had been subdued by France, which could not be stated to be the case of the Duke d'Enghien. Respecting the *third* count, the military commission were not legally competent to try it; the courts ordinary of France alone had the alleged crime within their jurisdiction. Nevertheless, in mockery of the form, as well as the essence of law, the court proceeded upon the trial upon two points of accusation, which were irrelevant, and upon a third, which was incompetent.

The mock trial, when brought on, was a mere repetition of the interrogatory which the duke had been previously subjected to. We are now to give an abstract of both interrogatories, only premising that within their limits must be found the whole head and front of the offences charged. The guilt of the accused must either be proved from thence, or his innocence must be acknowledged; the sole evidence produced or attempted to be brought forward on the trial, being the answers of the duke.

Upon the first examination, the following admissions were made by the accused. The duke avowed his name, birth, and quality; his exile from France, and the campaigns which he had made with the emigrant army under his grandfather, the Prince of Condé. He stated the various countries which he had inhabited since the army of Condé was disbanded, and that he had resided at Ettenheim for two years and a half, by permission of the elector. Interrogated, if he had ever been in England, or if that government had made him any allowance; he answered, he had never been in that country, but that England did allow him an annuity, which was his only means of support. Interrogated, what were his reasons for residing at Ettenheim; he answered, that he had thoughts of settling at Fribourg in the Brisgaw, as a pleasanter place of residence, and had only remained at Ettenheim on account of the elector's indulging him

with full liberty of hunting, to which amusement he was very partial. Interrogated, if he kept up any correspondence with the French princes of his family who were at London, and if he had seen them lately; he replied, that he naturally kept up a correspondence with his grandfather ever since he had left him at Vienna, after the disbanding of his army; but had not seen him since that period;—that he also corresponded with his father, (Duke of Bourbon,) but had not seen him since 1794 or 1795. Interrogated, what rank he occupied in the army of Condé; he answered, commandant of the vanguard, and that when the army was received into Prussia, and divided into two corps, he was made colonel of one of them. These admissions might have been deduced or presumed from the simple fact, that the individual before them was the Duke d'Enghien, whose history and military services were sufficiently known.

The subsequent part of the examination consisted in an attempt to implicate the accused in the conspiracy of Georges, Pichegru, and Moreau. The reader will see how far his answers make the charge good.

"Interrogated, if he knew General Pichegru, and if he had any connexion or intercourse with him;—Replied, I do not know him; I have never, I believe, seen him; I have had no conversation with him; I am glad I have not been acquainted with him, if the story told be true respecting the vile means which he proposed making use of."

"Interrogated, if he knew General Dumouriez, or had any connexion with him;—Answered, that he knew him no more than the other—he had never seen him."

"Interrogated, if, after the peace, he had not kept up a correspondence in the interior of the Republic;—Replied, I have written to some friends that are still attached to me, who had fought along with me, both on their affairs and my own. These correspondences were not of the character which I conceive to be alluded to."

The report further bears, that when the process-verbal was closed, he expressed himself thus: "Before signing the process-verbal, I make with urgency the request, to have a particular audience of the First Consul. My name, my rank, my manner of thinking, and the horror of my situation, make me hope he will not refuse my desire."

In the second interrogatory, in presence of the military commission, the duke adhered to what he had said in his preceding examination, with the sole additional circumstance, that he was

ready to renew the war, and to take service in the approaching hostilities betwixt England and France.

The commission, as appears from record of their proceedings, received no other evidence of any kind whatever, whether written or oral, and undertook the task which they knew was expected from them, of extracting reasons for awarding a capital punishment out of a confession from which nothing could be drawn by any ordinary process of reasoning, save that the accused person had been in arms against France, and was willing to be so again, —but in open warfare, and in the hope of recovering what he considered as the rights of his family—a case which could not be brought under the penalty of death, except under the laws of 28th March, 1793, and of 25th Brumaire, An III., where the capital punishment is limited, as we have repeatedly said, to emigrants taken within the limits of France, or of countries hostile to her, or subjected by her arms. The avowal that the duke had a pension from England, did not infer that he was in her military pay, nor, indeed, did he in fact hold that allowance on any other conditions than as an alimentary provision allowed by the generous compassion of the British nation. Neither could he be found guilty upon his candid avowal that he was willing, or even desirous, to enter into the English service; for, supposing the actually doing so were a crime, the mere intention to do so could not be construed into one, since men are in this world responsible only for their actions, not for their thoughts, or the unexecuted purposes of their mind. No other evidence was adduced excepting the report of an officer of police, or state spy, sent to watch the Duke d'Enghien's movements, who declared that the Duke d'Enghien received many emigrants at his table, and that he was frequently absent for several days without his (the spy's) being able to discover where he went; but which suspicious facts were sufficiently explained, by his having the means of giving some assistance to his distressed companions, and his long hunting parties in the Black Forest, in which he was wont to pass many days at a time. A report from Shee, the prefect of the Lower Rhine, was also read; but neither Savary nor Hullin mention its import, nor how it was converted into evidence, or bore upon the question of the Duke d'Enghien's guilt or innocence. Hullin also mentions a long report from the counsellor of state, Real, where the affair, with all its ramifications, was rendered so interesting, that it seemed the safety of the state, and the existence of the government, depended on the judgment which should be returned. Such a report could only argue the

thirst of the government for the poor young man's blood, and exhibit that open tampering with the court, which they were not ashamed to have recourse to, but certainly could not constitute evidence in the cause.

But both Savary and Hullin are disposed to rest the reason of the condemnation upon the frank and noble avowal of the prisoner, which, in their opinion, made it imperative on the court to condemn him. He uniformly maintained, that "'he had only sustained the right of his family, and that a Condé could never enter France save with arms in his hands. My birth,' he said, 'my opinions, must ever render me inflexible on this point.' The firmness of his answers reduced the judges," continues Hullin, "to despair. Ten times we gave him an opening to retract his declarations, but he still persisted in them immovably. 'I see,' he said, 'the honourable intention of the members of the commission, but I cannot resort to the means of safety which they indicate.'" And being acquainted that the military commissioners judged without appeal; "I know it," he replied, "and I do not disguise from myself the danger which I incur. My only request is to have an interview with the First Consul." It is sufficiently plain that the gallant bearing of the prince, so honourable to himself, brought him under no law by which he was not previously affected. But it did much worse for him in a practical sense. It avowed him the open enemy of Buonaparte, and placed each judge under the influence of such reasoning as encouraged Sir Piers Exton to the murder of a deposed prince at the hint of a usurper.[1]

The doom of the prisoner had been fixed from the moment he crossed the drawbridge of that gloomy state prison. But it required no small degree of dexterity to accommodate the evidence to the law, so as to make out an ostensible case of guilt, which should not carry absurdity and contradiction on its very front. This was the more difficult, as it is an express legal form in French courts-martial, that it shall express upon its record the exact fact for which death is to be inflicted, and the precise

[1] "Didst thou not mark the king, what words he spake?
Have I no friend will rid me of this living fear?
Have I no friend? quoth he: he spake it twice,
And, speaking it, he wistfully look'd on me;
As who should say,—I would, thou wert the man,
That would divorce this terror from my heart;
Meaning, the king at Pomfret.—Come, let's go;
I am the king's friend, and will rid his foe."

article of the law under which the sentence is awarded. The military commission had much more trouble in placing the record upon a plausible footing, than they found in going through the brief forms of such a trial as they were pleased to afford the accused. They experienced the truth of the observation, that it is much more easy to commit a crime than to justify it.

VERDICT.

The first difficulty which occurred was to apply the verdict to the indictment, to which it ought to be the precise answer, since it would be monstrous to find a man guilty of a crime different from that of which he stood accused; as for example, to find a man guilty of theft, when he had been charged with murder, or *vice versa*. The judges of this military commission had, at the same time, the additional difficulty of reconciling the verdict with the evidence which had been adduced, as well as with the accusations laid. If the reader will take the trouble to peruse the following copy of the record, with our observations, which we have marked by Italics, they will see how far the military court of Vincennes had been able to reconcile their verdict with the act of accusation, and with the sentence.

The verdict bears: "The voices being collected on each of the underwritten questions, beginning with the younger, and ending with the president; the court declares Louis Antoine de Bourbon, Duke d'Enghien,—

"1. Unanimously guilty of having borne arms against the French Republic."—*This is in conformity with the accusation, and the evidence; therefore, so far regular.*

"2. Unanimously guilty of having offered his services to the English Government, the enemy of the French Republic."—*This is not in conformity to the charge. The duke only said he was willing to join the English in the new war, not that his services had been either offered or accepted. The former was a matter of intention, the latter would have been a point of fact.*

"3. Unanimously guilty of having received and accredited agents of the said English government, of having procured them means of intelligence in France, and of having conspired with them against the internal and external safety of the Republic."—*The facts alluded to in this clause of the verdict may be considered as contained by implication in the general charge in the accusation, that the duke plotted with England. But certainly they are not there stated in the precise and articulate manner in which*

a charge which a man must answer with his life ought to be brought against him. As to evidence, there is not, in the examination of the duke, the slightest word to justify the finding him guilty of such an offence. Not a question was put, or an answer received, respecting the plot with England, or the duke's accession to and encouragement of them.

"4. Unanimously guilty of having placed himself at the head of a large collection of French emigrants, and others, formed in the frontiers of France, in the county of Fribourg and Baden, paid by England."— *There is not a word of such a charge in the accusation or indictment, nor was the slightest evidence of its existence brought forward before the court, or enquired into upon the duke's examination.*

"5. Unanimously guilty of having had communications with the town of Strasburg, tending to excite insurrection in the neighbouring departments, for the purpose of a diversion in favour of England."— *There is no mention of this charge in the accusation —there is no mention of it in the evidence.*

"6. Unanimously guilty of being one of the favourers and accomplices of the conspiracy carried on by the English against the life of the First Consul; and intending, in the event of such conspiracy, to enter France."— *There is no mention of this charge in the act of accusation or indictment. The evidence on the subject goes distinctly to disprove the charge. The Duke d'Enghien said he did not know Pichegru, and had no connexion with him; and added, that he rejoiced at the circumstance, if it was true that the general aimed at success by means so horrible.*

The result of the whole is, that this most liberal commission, in answer to the three charges, brought in a verdict upon six points of indictment; and that, on applying the evidence to the verdict, not one of the returns is found supported by evidence, the first excepted; of the other five, of which three at least are gratuitously introduced into the charge, four are altogether unsupported by the evidence, and the sixth is not only unsupported but disproved, being in direct contradiction to the only testimony laid before the Commissioners.

SENTENCE.

Having drawn up their verdict, or answer to the act of accusation, with so little regard either to the essence or forms of justice, this unconscientious court proceeded to the sentence, which, according to the regular form, ought to bear an express reference

to the law by which it was authorized. But to discover such a law, must be inevitably a work of some difficulty; and in the mean time, the devoted victim still lived. The record of the court-martial bore the date, *two in the morning*;[1] so that *two hours* had already elapsed upon the trial and subsequent proceedings, and it was destined the sun should not rise on the devoted head of the young Bourbon. It was, therefore, necessary that he should be immediately found guilty and executed, as all that was considered the direct object for which the court was convened. It would be time enough to consider after he was no more, under what law he had suffered, and to fill up the blanks in the sentence accordingly. One would have thought such a tragedy could never have taken place in a civilized age and country, seven French officers, claiming to be esteemed men of honour by profession, being the slavish agents. It must, one would say, have occurred at Tripoli or Fez, or rather among the Galla and Shangalla, the Agows, or the Lasta of Abyssinia. But here is the sentence to speak for itself:—

"The prisoner having withdrawn, the court being cleared, deliberating with closed doors, the president collected the votes of the members; beginning with the *junior*, and voting himself the last, the prisoner was unanimously found guilty; and in pursuance of the —— *blank* —— article of the law of —— *blank* —— to the following effect ——————[two or three lines left blank for inserting the law which should be found applicable] ———— condemned to suffer the punishment of death. *Ordered that the Judge-Advocate should see the present sentence executed* IMMEDIATELY."

Most laws allow at least a few days of intervention betwixt sentence and execution. Such an interval is due to religion and to humanity; but in France it was also allowed for the purpose of appeal. The Laws, 25 Brumaire, An VI., and 27 Ventose, An VIII., permitted appeals from the judgments of courts-martial. The decree of the 17 Messidor, An XII., permitting no appeal from military sentences, was not then in existence; but if it had, even that severe and despotic enactment allowed prisoners some brief space of time betwixt this world and the next, and did not send a human being to execution until the tumult of spirits, incidental to a trial for life and death, had subsided, and his

[1] A sense of shame caused these words to be erased, but the operation has left them still legible. The attempt at concealment shows the sense of guilt without hiding the crime.

heart had ceased to throb betwixt hope and fear. Twenty-four hours were permitted betwixt the court of justice and the scaffold —a small space in ordinary life, but an age when the foot is on the brink of the grave. But the Duke d'Enghien was ordered for instant execution.

Besides the blanks in the sentence of this court, as originally drawn up, which made it a mockery of all judicial form, there lay this fatal error to the sentence, that it was not signed by the greffier, or clerk of court.

We do the judges the credit to believe that they felt for the accused, and for themselves; saw with pity the doom inflicted, and experienced shame and horror at becoming his murderers. A final attempt was made by General Hullin to induce the court to transfer to Buonaparte the request of the prisoner He was checked by Savary. "It will be *inopportune*," said that officer, who, leaning on the back of the president's chair, seems to have watched and controlled the decisions of the court. The hint was understood, and nothing more was said.

We have given one copy of the sentence of the court-martial. It was not the only one. "Many draughts of this sentence were tried," says Hullin, "among the rest, the one in question; but after we had signed it, we doubted (*and with good reason*) whether it were regular, and, therefore, caused the clerk make out a new draught, grounded chiefly on a report of the Privy-Counsellor Real, and the answers of the Prince. This second draught was the true one, and ought alone to have been preserved."

This second draught has been preserved, and affords a curious specimen of the cobbling and trumping up which the procedure underwent, in hopes it might be rendered fit for public inspection. Notwithstanding what the president says was intended, the new draught contains no reference to the report of Shee, or the arguments of Real, neither of which could be brought into evidence against the Duke. The only evidence against him, was his owning the character of a prince of the blood, an enemy by birth, and upon principle, to the present government of France. His sole actual crime, as is allowed by Monsieur Savary himself, consisted in his being the Duke d'Enghien; the sole proof was his own avowal, without which it was pretended the Commissioners would not have found him guilty.

To return to the new draught of this sentence. It agrees with the original draught, in so far as it finds the duke guilty of *six* criminal acts upon a charge which only accused him of *three*. But there is a wide distinction in other respects. The new draught,

though designed to rest (according to Hullin's account) upon the report of the Privy-Counsellor Real, and the answers of the prince, takes no notice of either. It does make an attempt, however, to fill up the blanks of the first copy, by combining the sentence with three existing laws; but how far applicable to the case under consideration, the reader shall be enabled to judge.

Article II. 1st Brumaire, An V. Every individual, of whatever rank, quality, or profession, convicted of being a spy for the enemy, shall be punished with death.—*The Duke d'Enghien had neither been accused nor convicted of being a spy for the enemy.*

Article I. Every plot against the Republic shall be punished with death.—*There was no evidence that the duke was engaged in any plot; he positively denied it on his examination.*

Article II. *All conspiracies or plots tending to disturb* the state, by a civil war—to arm the citizens against each other, or against lawful authority, shall be punished with death.—*Here the same want of evidence applies.*

Upon the whole, it appears that the law could neither be so moulded as to apply to the evidence, nor the evidence so twisted as to come under the law,—the judges were obliged to suppress the one or the other, or to send their sentence forth with a manifest contradiction on the face of it.

But this second draught of the sentence was so far conforming to the law, that it was signed by the greffier or clerk of court, which was not the case with the former. It was also more indulgent towards the accused; for the order for immediate execution was omitted, and its place supplied by the following details.

"It is enjoined to the capitaine .rapporteur instantly to read the present judgment to the condemned person in presence of the guard assembled under arms.

"Ordered that the president and the reporter use their diligence according to the legal forms, in despatching copies of this procedure to the minister at war, the great judge, minister of justice, and to the general in chief, Governor of Paris."

By the interposition of these legal forms, the commissioners unquestionably desired to gain some time, to make interest with Buonaparte that he might not carry his cruel purpose into execution. This has been explained by the president of the court-martial, General Hullin himself, who, blind, aged, and retired from the world, found himself obliged, on the appearance of Savary's vindication of his share in the murder of the Duke d'Enghien, to come forward, not to vindicate his conduct, but, while expressing his remorse for the share he really had in the tragedy,

to transfer the principal charge to the superior officer, who was present during the whole trial, to overawe, it would seem, and to control the court. His account is in these words :—

" Scarcely was it (the sentence) signed, when I began a letter to Napoleon, in which I conveyed to him, in obedience to the unanimous wish of the court, the desire expressed by the prince of an interview with the First Consul; and farther, to conjure the First Consul to remit the punishment, which the severity of our situation did not permit us to elude. It was at this moment that a man interfered, [Savary,] who had persisted in remaining in the court-room, and whom I should name without hesitation, if I did not recollect that, even in attempting a defence for myself, it does not become me to accuse another. ' What are you doing there ?' said this person, coming up to me. ' I am,' I replied, ' writing to the First Consul, to convey to him the wish of the prisoner, and the recommendation of the court.'—' You have done your business,' said he, taking the pen out of my hand, ' and what follows is mine.' I confess that I thought at the moment, and so did several of my colleagues, that he meant to say, that the conveying of these sentiments to the First Consul was his business. His answer, thus understood, left us still the hope that the recommendation would reach the First Consul. I only recollect, that I even at the moment felt a kind of vexation at seeing thus taken out of my hands, the only agreeable circumstance of the painful situation in which I was placed. Indeed, how could we imagine, that a person had been placed about us with an order to violate all the provisions of the law ? I was in the hall, outside the council-room, conversing about what had just occurred. Several knots of persons had got into private conversation. I was waiting for my carriage, which not being permitted (any more than those of the other members) to come into the inner court of the castle, delayed my departure and theirs. We were ourselves shut in, and could not communicate with those without, when an explosion took place—a terrible sound, which struck us to the hearts, and froze them with terror and fright. Yes, I swear, in the name of myself and my colleagues, that this execution was not authorized by us; our sentence directed that copies of the sentence should be sent to the minister of war, the grand judge, and the general Governor of Paris. The latter alone could, according to law, direct the execution; the copies were not yet made; they would occupy a considerable portion of the day. On my return to Paris, I should have waited on the governor—on the First Consul; who knows

what might have happened?—but all of a sudden, this terrific explosion informed us that the prince was no more. We know not whether he [Savary] who thus hurried on this dreadful execution, had orders for doing so. If he had not, he alone is responsible; if he had, the court, which knew nothing of these orders, which, itself was kept in confinement—the court, whose last resolution was in favour of the prince, could neither foresee nor prevent the catastrophe."

EXECUTION.

The gallant young prince, therefore, was cut off in the flower of his age, and, so far as we can see, on no evidence whatever, excepting that he was a son of the house of Bourbon, the enemy, by his birth, of the temporary Governor of France, but his public and declared enemy, who had never owed duty to him, and who had not been taken engaged in any active proceedings against him. The descendant of the great Condé was condemned to a bloody death, by a court, the judges of which were themselves prisoners, at the hour when thieves and murderers deal with their victims, and upon an unproved accusation tried by incompetent judges.

The research of the lawyer must go beyond the princes nameless and bloody tomb to enquire into the warrant by which he was consigned to it. Was it by virtue of the first or of the second draught of that sentence, which the military erudition found so much difficulty in cobbling up into the form of a legal sentence? We suppose it must have been in virtue of the *first* draught, because *that* commands instant execution. If this conjecture is allowed, the Duke d'Enghien was executed in virtue of a document totally deficient in solemnity, since that first remains blank in its most essential parts, and is not signed by the greffier or clerk of court—a formality expressly enjoined by law.

If, again, we suppose that the *second*, not the *first* copy of the sentence, was the warrant made use of, the proceeding to execution will be found not less illegal. For that second draught, though it exhibits no blanks, and is signed by the greffier, and is so far more formal than the first, gives no authority for *instant* execution of the sentence. On the contrary, it enjoins the usual legal delays, until the copies should be made out and sent to the various officers of state mentioned in the warrant itself. The effect of this delay might have probably been the saving of the unfortunate prince's life; for if Paris had not heard of his death at the same time with his arrestment, it is not likely that Buona-

parte would have braved public opinion, by venturing on concluding his nocturnal tragedy by a daylight catastrophe. But, laying that consideration aside, it is enough for a lawyer to pronounce, that such sentence, executed in a manner disconforming from its warrant, is neither more nor less than A MURDER; for as such are construed in the laws of every civilised country, those cases in which the prompt will of the executioner anticipates the warrant of the judge.

GENERAL VIEW OF THE PROCEDURE.

Looking over this whole procedure, with the eyes of one accustomed to juridical reasoning, it is impossible to resist the conviction, that a train of more gross inconsistencies, practised with a more barefaced audacity, or for a worse purpose, does not stain and disgrace the page of history. The arrest was against the law of nations; the constitution of the court was against the military law; the mode of conducting the trial was against the law of France; the sentence was contrary to the forms of every civilized nation; the execution was a contravention of the laws of God and man. It would be absurd to term the slaughter of the Duke d'Enghien a murder committed by the sword of justice, unless we understand Hogarth's parody of that allegorical figure, with one eye open, one scale depressed with a bribe, and a butcher's knife in her hand instead of the even-swayed sword.

Having endeavoured to trace this bloody and cruel proceeding in a legal point of view, we must, before leaving the subject, consider what apologies have been set up against the black charge which arises out of the details.

The first of these screens would have been doubly convenient, providing it could have been rendered plausible. It amounted to the transference of the more active part of the guilt from Napoleon himself to Talleyrand, whom it would have been delicious revenge to have overwhelmed with the odium of a crime which must have made an impassable gulf between the ex-imperial minister and the restored royal family. Napoleon therefore repeatedly hinted and expressed, that the measure of the Duke d'Enghien's death had been thrust upon him by the advice of Talleyrand, and that, without giving the matter due consideration, he had adopted the course recommended to him. It was

afterwards still more broadly averred, that Talleyrand had intercepted a letter written by the prince from Strasburg, begging his life, and offering, in grateful return, to serve Napoleon in his armies. This boon Napoleon intimates he might have granted, if Talleyrand had delivered the letter; but by intercepting it, that statesman became the actual murderer of the unfortunate prince.

There are two modes of considering every allegation, that is, according to the presumptive, or the positive and direct evidence brought in support of it. If we look at the former, we cannot discern the shadow of a motive why Talleyrand, however unprincipled we may suppose him, should have led his master into the commission of a great and odious crime, of which he was likely to have the whole unpopularity thrown upon himself, so soon as it should be found too heavy for his principal. Talleyrand was a politician; but so far as we have ever heard, possessed of no bloodthirsty disposition, and being himself descended from a noble family, was unlikely, to say the least, to urge the catastrophe of a young prince, against whom, or his family, he is never believed to have had any especial enmity. On the other hand, if we suppose him guided to the step by foolish and misguided zeal for Buonaparte's own interest, we traduce Talleyrand's mental capacity as much in the one case, as we should do his natural disposition in the other. No man knew better than the Prince of Beneventum, that power is, in enlightened nations, dependent on public opinion, and that the blood of an innocent and high-spirited enemy might indeed stain his master's throne, but could not cement its basis.—Again, if we regard the spirit displayed by the Duke d'Enghien upon his mock trial, when he declared he would not recall his avowed enmity to the French, in conformity to the hints thrown out by the court-martial, how is it possible that the same individual can be supposed capable of having, two days before, crouched to Buonaparte for his life; or how are we to reconcile his having offered to accept service under the First Consul, with his declaration that it did not become a Condé to enter France, save with arms in his hands? We must suppose him a madman, if, having endeavoured to creep to Buonaparte's favour by the means of submission, he should have assumed an air of contumacy and defiance towards the judges who were to report his conduct on his trial to the First Consul. The existence of the letter, and the fact of its being intercepted by Talleyrand, is, therefore, disproved as far as it can be, both

by the character of the alleged writer, and of the minister for foreign affairs.

But, farther, it is disproved not only by reasoning *à priori*, but directly and from the state of facts, as far as negative evidence possibly can go. The whole proceedings against the Duke d'Enghien took place under the Counsellor of State, Real, and was managed entirely by the police; those safe, silent agents, who acted by immediate directions from the supreme head of the Government, like the mutes of the seraglio, and were not liable to the control of any subordinate minister. Talleyrand never interfered, nor indeed had an opportunity of interfering in it.

It was an officer of the police who was sent to enquire into the state of things at Ettenheim; and his report was made *not* to Talleyrand, not even to his proper chief, Real,—but to Buonaparte himself. This is proved by Savary's own narrative, who says expressly, that "the first inspector of the gendarmerie received the report from the officer, and carried it himself to the First Consul, instead of giving it to M. Real." The troops employed in the act of seizing the Duke d'Enghien, were also gendarmes, that is policemen; and had a letter been written by their prisoner at Strasburg, or any where else, it would certainly have gone, like the report above mentioned, to the First Consul, and not to Talleyrand to the foreign department. *2dly*, There is a sad, but minute memorial of his imprisonment, kept by the duke as a sort of diary. In this record is no mention of his having written such a letter. *3dly*, As the Baron St Jacques, secretary to the unfortunate prince, was with his master constantly until the duke was taken from Strasburg, he was in a situation to offer a formal testimony against the very allegation of such a letter having been written, since he must have become acquainted with it, if it had any real existence. *4thly*, The gendarmes who collected the duke's few papers, and made an inventory of them, would not have failed to secure such a document, if, as we said before, there had been such a document to secure.

For all these reasons, the story of the suppressed letter must be considered, from beginning to end, as an absolute fiction, invented to absolve Napoleon of what he felt was generally considered as a great crime, and to transfer the odium to Talleyrand, whose active offices in behalf of the royal family, his former master could neither forget nor forgive.

But the story of the letter was not the only one to which Napoleon had recourse to qualify the public indignation, which was so generally directed against him as the author of this unhappy deed.

In the examination of the persons who were arrested on account of accession to the conspiracy of Pichegru and Georges, it appeared, according to a very apocryphal statement by Napoleon, that a person occasionally appeared among the conspirators, of noble mien and distinguished manners, to whom the principal conspirators showed such symptoms of homage and deference as are paid only to princes. "He appeared," says Savary, "36 years of age, his hair was fair, his forehead open, of a middle stature and size. When he entered the apartment, all present, even Messrs de Polignac and De Riviere, rose and remained standing in his presence." The police considered who this mysterious personage could be, and agreed it must be the Duke d'Enghien. To the impression this supposed discovery made on the mind of the First Consul, was to be imputed, according to his own account and General Savary's, the mission of the police officer to Strasburg, as already mentioned. The report of the spy concerning the frequent absences of the Duke d'Enghien from Ettenheim, was held sufficient to identify him with the mysterious stranger at Paris—the resolution to kidnap him was formed and executed; and although no circumstances occurred to show that he had been in Paris, or to identify him with the incognito above alluded to, and although they were not even at the trouble of confronting the duke with the persons who described that individual, to see if they could recognise them to be one and the same; yet he was put to death, we are called upon to believe, upon the conviction that he was the visitor and friend of Georges Cadoudal, and the person in whose presence all the world testified such profound respect. Hardly, however, had the duke been huddled into his bloody grave, than we are told it was discovered that the mysterious personage so often alluded to, was no other than Pichegru; and the blame of keeping up the mistake in the First Consul's mind is imputed to Talleyrand, who is destined to be the scapegoat in every version of the story which comes from Napoleon or his favourers.

We submit that no author of a novel or romance, when compelled, at the conclusion of his tale, to assign a reason for the various incidents which he has placed before the reader, ever pressed into his service a string of such improbable and inconsistent circumstances. Was it credible that a prince of the blood

supposing him to have ventured to Paris during the consulate, and mingled with a band of conspirators, would have insisted upon, or would have permitted, the honours of his rank, and thus have betrayed his character to those who did not profess to know more of him than from that circumstance only? The very mention of a line of conduct so improbable, ought to have made the legend suspected at the very outset. Secondly, How could a mistake possibly occur betwixt the person of the Duke d'Enghien and that of General Pichegru? The former was fair, with light-coloured hair; the latter was dark, with a high-coloured complexion, and dark hair. The duke was slight and elegant in his form; Pichegru was stout-made, robust, and athletic. The prince was but just turned of thirty; Pichegru was forty years of age and upwards. There was scarcely a point of similarity between them. Thirdly, How was it possible for those circumstances to have occurred which occasioned the pretended mistake? Under what imaginable character was Pichegru to have commanded the respects paid to a prince of the blood, and that not only from the Chouan Georges, but from the Messieurs De Polignac and De Riviere, who, it is pretended, remained uncovered in his presence? Lastly, On the voluminous trial of Georges, which was published in the *Moniteur*, though several of his band were brought to bear witness against him, there was no evidence whatever of royal honours being rendered either to him or any one else. So that the whole legend seems to have been invented, *ex post facto*, as a screen, and a very frail one, behind which Napoleon might shelter himself. It is evident, indeed, even by his own most improbable account, that if the Duke d'Enghien died in consequence of a blunder, it was one which a moment's consideration must have led every one to doubt, and which a moment's enquiry would have explained, and that Napoleon's credulity can only be imputed to his determination to be deceived. How Talleyrand could have contributed to it, is not intimated; but General Savary informs us that the Consul exclaimed—"Ah! wretched Talleyrand, what hast thou made me do!" This apostrophe, if made at all, must have been intended to support a future charge against his minister; for as to being led by the nose by Talleyrand, in a matter where his own passions were so deeply interested, it is totally inconsistent with all that is recorded of Napoleon, as well as with the character, and even the private interest, of his minister.

After this tedious dissertation, the reader may perhaps desire to know the real cause of the extraordinary outrage. Napoleon's